

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2088 of 2024

Arising Out of PS. Case No.-225 Year-2023 Thana- FATEHPUR District- Gaya

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INDAL PASWAN S/O MOTI PASWAN R/O VILLAGE- NIMMI, P.S-
FATEHPUR, DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Fathepur P.S. Case No. 225 of 2023 lodged under Section 7 of
the E.C. Act.

3. As per the prosecution case, the F.I.R. has been
lodged against two accused persons, one is the driver of the
tempo and another is the licence holder of PDS shopkeeper
against whom there is allegation of doing black marketing of
rice.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that F.I.R. has been lodged on 23.03.2023 and rice is not the
controlled order item either under the Central Government or



under the State Government.

5. Counsel also submits that the case has been filed only at the instance of the co-villagers against whom the petitioner has inimical relation. He submits that the PDS shopkeeper who has been accused in this case, has been granted bail by the Co-ordinate Bench of this Court vide order dated 09.11.2023 passed in Cr. Misc. No. 73505/2023 .

6. Counsel submits that petitioner's antecedent is clean and he is in custody since 26.06.2023.

7. Learned counsel for the State opposes the prayer for bail.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-X, Gaya in connection with Fathepur P.S. Case No. 225 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J.)

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