

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37959 of 2015

Arising Out of PS.Case No. -116 Year- 2015 Thana -AADAPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Sunil Kumar Yadav @ Sunil Yadav Son of Amir Prasad Yadav
 2. Birendra Prasad Yadav Son of Sheo Nath Prasad Both are resident of village - Chainpur, P.S. Adapur, District - East Champaran

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava

For the Opposite Party/s : Mr. Ajay Kumar-II(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 17-09-2015

Heard learned counsel for the petitioners and learned

Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Adapur P.S.No.116 of 2015, disclosing offences under Section 7 Essential Commodities Act.

The allegation against the petitioners is that their shops under Public Distribution System were found closed on 21.04.2015, in course of inspection and the beneficiaries were thus unable to get food-grains, despite availability.

Learned counsel for the petitioners submits that this is the first time that the petitioners has been made accused in a case under the provisions of the Essential Commodities Act. He

assures this Court that the petitioners shall always make themselves available before the court below and before the investigating agency, as and when required.

In view of the submissions as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Adapur P.S.Case No.116 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

B.Kr./-

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