

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51413 of 2014

Arising Out of PS.Case No. -218 Year- 2014 Thana -MEERGANJ District- GOPALGANJ

1. Bhulan Singh S/o Surati Singh
2. Dharmendra Giri S/o Late Surendra Giri Both Resident of Village Satai,
P.O. AND P.S. Mirganj, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.V.Gri, Sr. Advocate

For the Opposite Party/s : Mr. B.Ram(App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 07-05-2015 Heard learned counsel for the petitioners and the learned
Additional Public Prosecutor appearing on behalf of the State.

This is an application seeking anticipatory bail in a case registered for the offences punishable under Sections 420,414 and 120B of the Indian Penal Code as well as under Section 7 of the Essential Commodities Act.

The Block Development Officer, Hathua in the district of Gopalgaj is the informant of this case. He is said to have received secret information that PDS dealer of Satai was carrying grains to sell in black market and by doing so, the villagers had detained the vehicle. The Block Development Officer is said to have intercepted the vehicle with police party whereafter he found 20

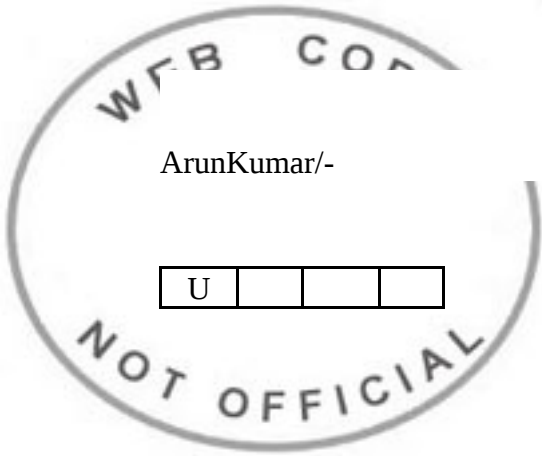
bags of grains loaded on a vehicle which was seized. The public had also apprehended two persons, namely, Krishna Singh and Nagina Singh. Allegedly two other persons i.e. these petitioners had fled away.

Learned senior counsel appearing on behalf of the petitioners has submitted, referring to the First Information Report that two persons (not these petitioners) were apprehended on the spot. Except the allegation the petitioners had fled away from the place of occurrence, there is no material against them. Learned senior counsel has submitted that provisions of section 7 of the Essential Commodities Act are not applicable inasmuch as, the goods which were seized are not covered by control orders.

He has further submitted that the owner of the vehicle and one Nagina Singh who claimed to be the owner of the food-grains have been granted regular bail by the Court below.

In view of the submission as above, let petitioners above named in the event of their arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned SDJM, Gopalganj in Mirganj P.S case No. 218 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of

Criminal Procedure.



(Chakradhari Sharan Singh, J)