

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44657 of 2015

Arising Out of PS.Case No. -103 Year- 2015 Thana -MADHUBAN District- EAST CHAMPARAN
(MOTIHARI)

Rucha Rai @ Rucha Yadav, Son of Asharfi Yadav, Resident of Village-
Rajepur, P.S.-Kotwa, District-East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-10-2015

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Madhuban P.S. Case No. 103 of 2015 dated 30.04.2015
registered under Section 7 of the Essential Commodities Act.

According to the FIR, the petitioner is alleged to be
driver of a truck bearing registration No. BR 05GA 3170 which
was standing in the block campus on which 73 packets of wheat
were loaded.

It is contended that another truck bearing registration
No. BR 26G 4325 was also intercepted on which 200 bags of

wheat were recovered. The owner of the truck Jitendra Rai has already been granted anticipatory bail by a Bench of this Court vide order dated 14.08.2015 passed in Cr. Misc. No. 34190 of 2015. Another co-accused, namely, Sanjay Modi, whose name was disclosed by one of the drivers of the truck, namely, Serajuddin, has also been granted anticipatory bail vide order dated 28.07.2015 passed in Cr. Misc. No. 30506 of 2015. It is also contended that there is nothing on record to suggest that the petitioner was the driver of one of the trucks in question.

Taking into consideration the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Sikrahana at Motihari, East Champaran in connection with Madhuban P.S. Case No. 103 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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