

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.701 of 2015

Arising Out of PS.Case No. -644 Year- 2014 Thana -MADHEPURA District- MADHEPURA

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Sanjay Kumar Gupta, son of Bindeshwari Prasad Gupta, resident of
Mohalla – Batraha, Ward No. 22, P.S. + District - Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate and
Mr. Sunil Kumar Singh, Advocate.

For the Opposite Party/s : Md. Arif, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 09-01-2015 Heard both sides.

The petitioner seeks regular bail in Madhepura P.S.
Case No. 644 of 2014 for the offence under Section 7 of the
Essential Commodities Act.

The Block Supply Officer, Madhepura inspected one
truck bearing registration no. WB-39B-081 and seized 401 bags of
rice. The driver of the truck disclosed that the rice belonged to the
petitioner. The petitioner claimed that he purchased the rice from
Sadbhawana Rice Mill owned by Raman Kumar Sah.

Learned counsel for the petitioner submits that the
Block Supply Officer suspected that the petitioner was carrying
the subsidized rice for selling in black market although there is no
material to prove the allegation.

On the other hand, learned A.P.P. submitted that the Sadbhawana Rice Mill is closed for the last six months and there is no question of purchase of rice from that mill.

Be that as it may, considering the fact that there is nothing on record to show that the petitioner was carrying the subsidized rice in order to sell the same in black market and the fact that the petitioner is in jail since 05.12.2014, the petitioner named above is directed to be released on bail on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in Madhepura P.S. Case No. 644 of 2014, corresponding to G.R. No. 2339 of 2014.

(Prabhat Kumar Jha, J)

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