

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21872 of 2015

Arising Out of PS.Case No. -842 Year- 2014 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Shambhu Rai Son of Banti Rai resident of Village - Amwa, P.s
Turkauliya District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Anis Akhtar

For the Opposite Party/s : Mr. Smt. Rita Verma(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 09-07-2015 Heard the Counsel for the petitioner and Mr. Dayal,

APP for the State.

The Block Supply Officer, Turkaulia lodged the case under Section 7 of the E.C. Act against four accused persons, two of them were the Driver and Khalasi of the Trolley on which 45 bags of rice was/were carried. It is alleged that the driver and khalasi disclosed that the petitioner had sold his rice to one Anil Kumar Gupta and the same was being carried to the shop/godown of Anil Kumar Gupta.

Contention of the petitioner is that he is not a licensee under Public Distribution System and/or any Act. By the same order passed by the learned Sessions Judge, the prayer for anticipatory bail of Anil Kumar Gupta was rejected who has now been granted anticipatory bail on 3.4.2015 vide Annexure-2.

Petitioner like Anil Kumar Gupta has no criminal antecedent. He is ready to cooperate in investigation and trial.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Motihari, East Champaran in Turkauliya P.S. Case No. 842 of 2014 (G.R. No. 6307 of 2014) subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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