

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20933 of 2015

Arising Out of PS.Case No. -210 Year- 2015 Thana -SAHARSA District- SAHARSA

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Md. Rustam @ Md. Rustam Sahnawaj

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Veena Rani Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-06-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

The prosecution case is that one Md. Kaushar along with nine labourers was found transferring the grains from the F.C.I. bag to general bag when Md. Kaushar suggested that go-down belongs to him and the petitioner.

It is submitted by learned counsel for the petitioner that the letters of the F.C.I. as contained in Annexure-2 (series) reflect that alleged go-down was let out by the petitioner to the State Food Corporation at earlier point of time, hence the petitioner was not in actual possession of the same on the alleged dated of seizure and if any illegality was committed the FCI or its officials are for the same responsible. A statement has been made in para 3 of the petition that

petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saharsa in connection with Saharsa (Sadar) P.S. Case No. 210 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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