

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35194 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -BASANTPUR District- SIWAN

- =====
1. Arun Kumar Tiwari Son of Ram Kishore Tripathi, Resident of Village - Chorma, P.S. - Basantpur, District - Siwan.
2. Yogendra Kumar, Son of Hari Rai, Resident of Village - Khudkharahi, P.S. - Basantpur, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 20-08-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 409, 420/34 of the Indian Penal Code and 7 of the Essential Commodities Act.

Thirty one quintals of rice was recovered from the go-down of one Narad Prasad while twenty quintals of rice was recovered from the pick-up van when it was suspected that the rice kept in the go-down of Narad Prasad was actually unloaded from the pick-up van. The same was suspected to be PDS supply.

It is submitted by learned counsel for the petitioners that petitioners are the owner and driver of the vehicle and the rice, in question, has been claimed by Narad Prasad. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that the petitioners are owner and driver of the public carrier, let the above named petitioners 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) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Basantpur P.S. Case No.45 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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