

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36856 of 2015

Arising Out of PS.Case No. -97 Year- 2012 Thana -NAYAGAON District- SARAN

1. Anil Kumar @ Anil Kumar Choudhary Son of Vishwanath Sah R/o Village Jadua, P.S. Hajipur Town, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
With Manish Chandra Gandhi

For the Opposite Party/s : Mr. Tapeswar Sharma(APP)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioner and learned Assistant Public Prosecution for the State.

This application for grant of anticipatory bail arises out of Nayagaon P.S. Case No. 97 of 2012, disclosing offences under Section 7 of the Essential Commodities Act.

It is submitted by the learned Senior Counsel appearing on behalf of the petitioner that he has been implicated in the case on the basis of statement of a co-accused who is said to have disclosed that 405 bags of Fertilizer which were recovered from the truck were purchased from the petitioner's shop. Over and above this, according to him, there is no incriminating material.

Accordingly, this application is allowed. Let the

petitioner, above named in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra in Nayagaon P.S. Case No. 97 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-

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