

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22610 of 2016

Arising Out of PS.Case No. -46 Year- 2016 Thana -PARAIYA District- GAYA

=====

1. Deepak Kumar, son of Late Mahesh Paswan.
2.Rajendra Kumar, son of Vijay Prasad
Both are resident of village- Boknari, Police Station- Paraiya, District-
Gaya.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance:

For the Petitioner/s : Mr. Manish Kumar No-2

For the Opposite Party/s : Mr. Rina Sinha(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 25-05-2016

Heard the learned counsel for the petitioners as well

as the learned A.P.P for the State.

The petitioners seek bail in connection with Paraiya
P.S. Case No. 46 of 2016 registered for the offence punishable
under Section 414 of the Indian Penal Code and Section 7 of the
Essential Commodities Act.

Allegedly, the tempo which was being driven by
the petitioner No.2 was apprehended loaded with nine bags of
government supplied rice each containing 50 Kg and that was
supplied to Public Distribution System (PDS) dealer Jairam
Paswan and he was also sitting on the tempo and further the
labour, the petitioner no. 1 was also apprehended.

Submission is of false implication and that the

petitioners have no knowledge that the seized rice was government rice or Jairam Paswan was the PDS dealer, the petitioners have been falsely implicated in this case as they are poor driver and labour and without any fault, they are suffering in custody since 06.04.2016.

The learned APP submits that as per the first information report, the rice was supplied to co-accused who is a PDS dealer.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Paraiya P.S. Case No. 46 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

Mishra/-

U		T	
---	--	---	--