

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43108 of 2016

Arising Out of PS.Case No. -367 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Gulab Khan S/o Abdul Wahab Khan R/o Dhan Pura Kanhaiyabarhi
2. Abdul Karim @ A. Karim S/o Shah Mohamed R/o Chariya Both PS-
Kochadhaman, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 25-10-2016

Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Kishanganj P.S. Case No. 367 of 2016, disclosing offences under Section 7 of the Essential Commodities Act.

From a Bolero pick up van, the Block Development Officer, seized 48 bags of rice suspected to have been illegally procured for the purpose of sell in black market. Allegedly, the said rice was of Public Distribution Scheme.

Learned counsel for the petitioners has submitted that there is nothing to show that the said rice had any connection with the Public Distribution Scheme. He has also submitted that the petitioners have been made accused simply because they are owners of the vehicle. He further submits that if the petitioners are granted anticipatory bail,

there is no likelihood that they would flee from the course of justice.

Considering the above submission, this application is allowed. Let the petitioners above named in the event of his arrest/surrender within four weeks from today in the Court below be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in Kishanganj P. S. Case No. 367 of 2016, 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 petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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