

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20600 of 2016

Arising Out of PS.Case No. -6 Year- 2015 Thana -MAHKAR District- GAYA

1. Chhotu Rajak S/o late Dineshwar Rajak Resident of Village- Nadara, PS Mahkar, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. N. K. Agrawal, Sr. Adv.
Mr. Dhananjaya Nath Tiwari
For the State : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 20-05-2016 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mahkar Police Station Case No. 06 of 2015, disclosing offence under Section 7 of the Essential Commodities Act.

The petitioner is the P. D. S. Dealer. It is alleged that in that capacity, he had received certain amount of wheat and rice and in course of an inspection conducted by the Block Supply Officer and the Executive Magistrate, amount of rice was found less than what was expected. From the courtyard of the petitioner, 20.5 quintals of rice was recovered. With this allegation, the First Information

Report came to be instituted.

Mr. N. K. Agrawal, learned Senior Counsel, appearing on behalf of the petitioner, has submitted that the petitioner is a licensee for 22 years and before lodging of the present First Information Report, there has been no allegation against him. He has further submitted that consequent upon the said inspection conducted by the Block Supply Officer, the supply of foodgrains to the petitioner's shop has been suspended and the authority has initiated process for cancellation of the petitioner's license. He submits that considering the nature of accusation made against the petitioner, there is no chance of tampering with the evidence or influencing the witnesses.

Considering the submission, as above, this application is allowed.

Let the petitioner, Chhotu Rajak, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya, in connection with Mahkar Police Station Case No. 06 of 2015, subject to the condition 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, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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