

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22036 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MUFFASIL District- AURANGABAD

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Om Prakash son of Sri Vishwanath Prasad resident of Vill/Mohalla-
Chhotki Delha, Police Station- Delha, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 12-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Aurangabad Muffasil P.S. Case No. 05 of 2016, disclosing offences under Sections 419, 420, 120(B)/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Upon an information that a consignment of rice of Food Corporation of India was being unloaded in the campus of Maa Bhagwati Rice Mill, a raid was conducted and was found that rice was being unloading to be loaded on another truck. On the suspicion that it was being done for the purpose of black marketing of rice, the F.I.R. has been lodged. The petitioner is

the transporter and hired the said truck from the owner of the truck for the purpose of transportation of rice at S.F.C. godown, Amas.

Learned counsel for the petitioner has submitted that co-accused Khurshid Khan, the owner of the truck, has been granted the privilege of anticipatory bail and other co-accused Vinay Kumar Gupta has also been granted the privilege of anticipatory bail. He has submitted that the goods were to be transported to S.F.C. godown, Amas and the petitioner heard that one of the consignments have been reached to the consignee, he immediately informed the police in this regard.

Be that as it may, in the facts and circumstances of the case, this application is allowed. Let the petitioner, above-named, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Muffasil P.S. Case No. 05 of 2016, 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)

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