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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43560 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -HAZIPUR INDUSTRIAL District-VAISHALI(HAJIPUR)

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Anil Kumar, Son of Yogendra Baitha, Resident of Village- Adalbari,P.S. Hajipur Sadar, District Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Birendra Nath Mishra, Advocate.
For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-10-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Vaishali Industrial Area P.S. Case No. 70 of 2016 registered under Sections 420, 379 and 120 of the Indian Penal Code, Sections 7and 192 of the Essential Commodities Act.

The allegation of informant-Block Supply Officer, Hajipur, is that, on 14.06.2016, at about 9.30 P.M., three trucks were stopped for checking, in which, bags of Bihar State Food Corporation were loaded but the drivers of the said trucks fled away. On query, it was found that the bags of wheat and rice loaded on the said truck by the petitioner being the Loading Incharge of Hajipur Godown, Bihar State Food Corporation.

Learned counsel for the petitioner submits that petitioner being the Loading Incharge of the Godown is duty bound for loading the bags of grin in the truck on the instruction of the Godown Incharge. As such, petitioner is not liable if the truck was found any other place.

Having consider the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali, Hajipur, in connection with Vaishali Industrial Area P.S. Case No. 70 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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