

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.7944 of 2016

Arising Out of PS.Case No. -117 Year- 2015 Thana -OBRA District- AURANGABAD

1. Subhash Yadav S/o Mushafir Yadav Resident of Village- Mayapur P.s
Obra, District Auragabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner : Mr. Krishna Prasad Singh, Sr. Adv.
Mr. Mithilesh Kr. Singh, Advocate

For the Opposite Party : Mr. Durgesh Nandan, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 06-04-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Obra Police Station Case No. 117 of 2015,
disclosing offences under Section 7 of the Essential
Commodities Act.

The petitioner was the driver of a pick-up van,
bearing registration no. BR 26C/7023. It is alleged that
from the fair price shop of co-accused Sumanti Kuer, 40
bags of wheat, each containing 45 kgs., and 05 bags of
rice, each containing 45 kgs., were being taken away for
the purpose of selling in the black-market. The pick-up van
was recovered from the shop of co-accused, Hridya Singh

@ Hriday Yadav.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that the petitioner has not been implicated by his name in the First Information Report, rather, he has been made accused as driver of the said pick-up van. He submits that if any black-marketing, was being attempted to be committed, the same was being done by the other co-accused persons. The petitioner had acted on the direction of his master to carry the said food grains. It has been stated that the petitioner has no criminal antecedent.

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

Let the petitioner, Subhash Yadav, 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 Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad, in connection with Obra Police Station Case No. 117 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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