

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.17699 of 2016**

Arising Out of PS.Case No. -13 Year- 2016 Thana -SIKARHATA District- BHOJPUR

Priya Brat Maayar @ Priya Barat Mauar Son of Sri Bishwanath Mauar,  
resident of Village Amarua, P.S. Tarari in the district of Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate

For the Opposite Party/s : Mr. Arun Kumar (APP)

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      03-05-2016                      Heard learned counsel for the petitioner and  
  
the learned A.P.P. for the State.

Petitioner apprehends his arrest in connection  
with Sikrahatta P.S. Case No. 13 of 2016 registered for  
offences punishable under Sections 411, 120(B) of the  
Indian Penal Code and Section 7 of the Essential  
Commodities Act.

The prosecution case, as lodged by the Incharge  
Block Supply Officer-cum-Circle Officer, Tarari, Bhojpur  
is that on secret information, premises of Singh Rice Mill,  
Sikrahatta was inspected and large number of trucks were  
found loading and unloading rice.

It has been submitted by the learned counsel for  
the petitioner that petitioner is the owner of the truck,

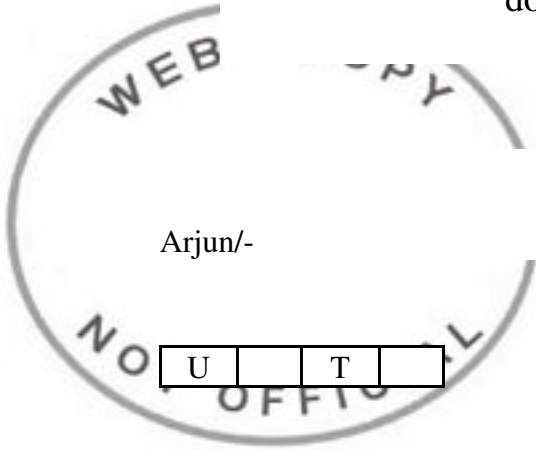


bearing Registration No. JH 01 AE 5356 and 500 bags weighing 249.30 quintals of rice was found during inspection. He further submits that petitioner not being a dealer or distributor of the commodities, section 7 of the Essential Commodities Act will not be applicable. He further submits that petitioner has been made accused only on the basis of suspicion and he was not found driving the truck at the time of inspection. He further submits that being the owner of the truck, petitioner cannot be alleged to have indulged in black marketing of the food grains meant for public distribution.

However, learned A.P.P. for the State submits that the petitioner's truck has been mentioned in the First Information Report and he is the owner, hence, opposes the prayer for bail.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Ara, Bhojpur in connection with Sikrahatta

P.S. Case No. 13 of 2016, subject to the conditions as laid  
down under Section 438 (2) of the Cr. P.C.



Arjun/-

**(Nilu Agrawal, J.)**