

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42093 of 2016

Arising Out of PS.Case No. -141 Year- 2016 Thana -MINAPUR District- MUZAFFARPUR

1. Ahilya Devi W/o late Gajendra Ram
2. Nitesh Rana@Nitesh Kumar Rana S/o late Gajendra Rana
Both resident of Village- Bhatanliya, P.S. Minapur, District Muzaffarpur.
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 03-10-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Meenapur Police Station Case No. 141 of 2016,
disclosing offence under Section 7 of the Essential
Commodities Act.

The petitioner no. 1 is a lady and P.D.S. Dealer;
whereas, petitioner no. 2 is her son.

Allegedly, on a secret information received by
the Block Supply Officer, Meenapur, the checking of
vehicles was conducted and from a Tata-407 vehicle,
certain quantity of wheat was recovered.

Learned Counsel appearing on behalf of the
petitioners has submitted that there is nothing to show that



the petitioners were, in any way, associated with the wheat, so recovered. It has also been submitted that one Dilip Kumar Rana has claimed the ownership over the said wheat by filing an application before the learned Sub Divisional Judicial Magistrate (East), Muzaffarpur and the claim of said Dilip Kumar Rana has been found to be correct in the report submitted by a police officer to the learned Sub Divisional Judicial Magistrate (East), Muzaffarpur.

Considering the above submissions, this application is allowed.

Let the petitioners, namely, Ahilya Devi and Nitesh Rana @ Nitesh Kumar Rana, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate (East), Muzaffarpur, in connection with Meenapur Police Station Case No. 141 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 petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before

the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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