

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.41031 of 2016

Arising Out of PS.Case No. -167 Year- 2014 Thana -BALRAMPUR District- KATIHAR

Haider Ali, Son of Bajar Mohammad, resident of Village Dharampur, P.S. Abadur, District Katihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 27-09-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Balrampur P.S. Case No. 167 of 2014, disclosing offences under Section 7 of the Essential Commodities Act.

It is alleged that on the basis of information, received by the Incharge Block Supply Officer, Balrampur, from a tractor, 45 bags of rice and 15 bags of paddy were seized. The tractor belonged to one Md. Jakir Hussain, who disclosed to the Block Supply Officer that the seized articles belonged to the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that he has been implicated merely on the basis of statement of Md. Jakir Hussain and that during investigation, he was noticed by the Police personnel to whom he had appeared and he was allowed to go after interrogation under Section 41 of the Code of Criminal Procedure. He has, accordingly, submitted that

if granted privilege of anticipatory bail, there is no chance that the petitioner shall flee from the course of investigation.

Considering the submissions as above, 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Katihar in connection with Balrampur P.S. Case No. 167 of 2014, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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