

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23067 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -MAGADH UNIVERSITY

District- GAYA

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1. Vijay Kumar, Son of Sri Govind Yadav, Resident of village - Jagarnathpur, Police Station - Tikari, District - Gaya.

2. Lav Kush Kumar, Son of Sri Sukhdeo Paswan, Resident of Moh. - Murli Hill Bairagi, P.S. - Kotwali, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Adv.

For the Opposite Party/s : Mr. R.P.S Singh (APP)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 26-05-2016

Heard the parties.

This application, for grant of regular bail, arises out of Magadh University P.S. Case No.24 of 2016, disclosing offences under Section 414 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Petitioner No.1 is a driver and petitioner No.2 is a cleaner of a truck, bearing Registration No.BR 2J 0533, which was seized by the Block Supply Officer, Bodh Gaya.

It is alleged that 150 quintals of rice was found loaded in the said truck and the petitioners could not show any paper in support of the said rice.

Learned counsel, appearing on behalf of the petitioners, has submitted that the petitioners had no concern with the said rice. It has been submitted that the owner of the rice and the owner of the said truck, approached this Court for release of the articles, *vide* C.W.J.C. No.7565 of 2016, which have been directed to be released in their favour *vide* judgment, dated 11.05.2016. It has further been submitted that the owner of the truck, namely, Arun Kumar Singh, has been granted the privilege of anticipatory bail by this Court. It has further been submitted that no offence, under Section 414 of the Indian Penal Code, is made out on the basis of what has been lodged in the First Information Report against these petitioners.

Considering the submission, as above, this application is allowed. The petitioners, abovenamed, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Gaya**, in connection with **Magadh University P.S. Case No.24 of 2016**.

This is subject to the condition that the petitioners, abovenamed, 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.)

Praveen-II/-

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