

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19077 of 2016

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

Niraj Kumar @ Niraj Kumar Singh Son of Sri Manoj Kumar Singh,
Resident of Village - Kurmuri, P.S. - Sikarhatta, District - Ara, Bihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan

For the Opposite Party/s : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 11-05-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Sikarhatta P.S.Case No. 13/2016, disclosing offences under
sections 411, 120B of the Indian Penal Code and section 7 of the
E.C.Act.

In course of raid conducted in the rice mill of the
petitioner, 3017 quintals of rice were recovered. Few bags of rice
were found loaded on the trucks and few unloaded from the
trucks, lying in the premises of the rice mill. With an allegation
that the said rice belonged to the State Food Corporation and were
likely to be sold in black market, the First Information Report
came to be registered.

Learned counsel, appearing on behalf of the petitioner, has



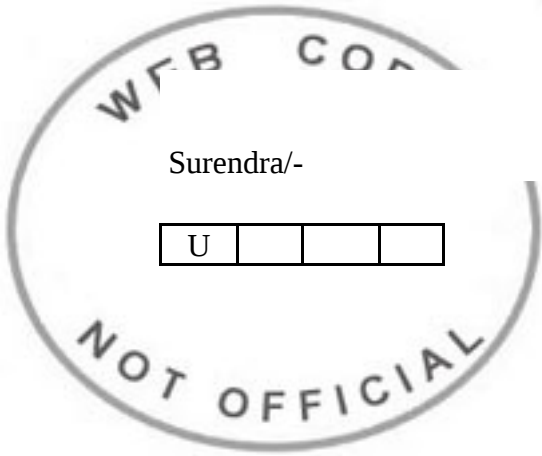
submitted that the entire rice legally belongs to the petitioner, which he is in a position to account for. It has further been submitted that the petitioner approached this Court for release of the said rice by filing a writ application vide C.W.J.C.No. 5652/2016, which has been disposed of by an order dated 6.4.2016 asking the authorities to release the same in his favour upon furnishing sufficient guarantee/ security. It has further been submitted that there is no chance of the petitioner fleeing from the course of investigation or trial in view of nature of allegation made against him.

Considering the above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 the Sub-divisional Judicial Magistrate, Ara in Sikarhatta P.S.Case No. 13/2016 (G.R.No. 1033/2016), subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)