

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42482 of 2016

Arising Out of PS.Case No. -179 Year- 2016 Thana -LALGANJ District- VAISHALI(HAJIPUR)

Bharat Sah S/O Baijnath Sah, R/O Jahanabad, P.S.- Lalganj, District-
Vaishali. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Advocate

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 19-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Lalganj P.S. Case No. 179 of 2016, disclosing offences under Sections 7 of the Essential Commodities Act.

According to the case of the prosecution a Tata 407 vehicle, total 31 quintals of rice was recovered. Upon an enquiry it was found that the said rice belonged to this petitioner. With an allegation that the rice was meant for being sold in black market, the First Information Report came to be registered.

Learned counsel appearing on behalf of the petitioner has submitted that the said rice belongs to the petitioner, which he had purchased from local farmers. She has submitted that once the petitioner himself admits that the rice belongs to him there is no chance of tampering with the evidence, if the petitioner is allowed

the privilege of anticipatory bail. The petitioner has no criminal antecedent.

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, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 179 of 2016, 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)

Vats/-c

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