

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39104 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

=====

Anil Kumar, son of Yogendra Baitha, resident of Village- Adalbari, P.S.- Hajipur Sadar, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Birendra Nath Mishra

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 21-09-2016 Heard Sri Birendra Nath Mishra, learned counsel

for the petitioner and Sri (Dr.) Rabindra Kumar, learned Addl.

Public Prosecutor.

The petitioner, who is loading incharge in the F.C.I. godown, apprehending his arrest in Rajapakar P.S. Case No.82/2016 registered for the offence under Section 7 of the Essential Commodities Act, has prayed for grant of anticipatory bail.

By way of referring to F.I.R., learned counsel for the petitioner submits that the F.I.R. was lodged only on suspicion as if the truck loaded with rice bags of F.C.I. was trying to indulge in black marketing. He submits that for the time being, if it is assumed that there is some force in the allegation, fact remains

that the petitioner being loading incharge in the F.C.I. has discharged his duty by getting the rice loaded on truck, which was admittedly being carried on the said truck. On the aforesaid ground, a prayer has been made for grant of bail to the petitioner.

Learned Addl. Public Prosecutor has opposed the prayer for anticipatory bail.

However, on going through the F.I.R., the Court is of the opinion that there is no reason to deny the prayer for grant of anticipatory bail. Accordingly, let the petitioner, namely, Anil Kumar, in the event of his arrest or surrender 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No.82/2016, subject to conditions as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

NKS/-

U		T	
---	--	---	--