

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2423 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -MANPUR District- WEST CHAMPARAN
(BETTIAH)

1. Dev Narain Panjiyar, Son of Ram Lakhan Panjiyar,
2. Birjhan Das, Son of Late Maharaj Das,
Both Resident of Village- Jhingna, P.S.- Manpur, District-West Champaran.
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 20-01-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Manpur P.S. Case No. 42 of 2015 registered under Section
7 of the Essential Commodities Act.

It has been contended that the FIR does not disclose
as to which provision of the control order has been violated by
the petitioners and, as such, no offence under Section 7 of the
Essential Commodities Act would be made out. It is further
contended that the alleged recovery of 240 liters petrol along

with five motorcycles was made on 17th October, 2015, but the FIR and the seizure list were transmitted to the court on 26th October, 2015 and there is no explanation for undue delay caused in transmitting the FIR and the seizure list.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran in connection with Manpur P.S. Case No. 42 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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