

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4341 of 2016

Arising Out of PS.Case No. -18 Year- 2013 Thana -KHAJAU LI District- MADHUBANI

=====

Sajan Kumar@ Sajjan Kumar S/o Ganga Ram Chaudhary, r/o village-
Kamlabari, P.S.- Jai Nagar, District-Madhubani at present M.D.M.
Khajauli, P.S.- Khajauli, District-Madhubani Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner : Mr. Ratanakar Jha, Advocate

For the Opposite Party : Mrs. Gulnar Begum (App)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 22-04-2016

Heard learned counsel for the petitioner and learned

counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Khajauli P.S. Case No. 18 of 2013 registered for the offences punishable under Section 7 of the Essential Commodities Act.

The learned counsel for the petitioner submits that earlier he had come before this Court which was disposed of with a direction to the petitioner to surrender in the Court below for consideration of his matter regarding regular bail. Learned counsel for the petitioner submits that in view of the changed circumstances, he has prayed for modification of the earlier order as the main accused Deo Narayan Yadav against whom there was specific allegation and from whose possession the grain was allegedly recovered has now been extended the privilege of regular bail on the very date of surrender. Learned counsel for the petitioner thus, submits that the prayer for anticipatory bail may be

taken into consideration as the petitioner is also willing to surrender. He further submits that since the petitioner has no specific role to play and the petitioner was only In-charge of the Mid-day Meal Scheme Centre, there is no further allegation as against him.

Considering the entire facts and the changed position as indicated in Annexure-3, which goes to show that, in fact, grains were recovered near the house of the brother of the said Deo Narayan Yadav and not from the present petitioner. Furthermore it has come on record that vehicle in question had met with a break down and was only parked near the brother's house and also for the reason that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Madhubani in connection with Khajauli P.S. Case No. 18 of 2013 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjana Mishra, J)

ravi/-

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