

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51687 of 2016

Arising Out of PS.Case No. -725 Year- 2016 Thana -BANKA District- BANKA

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1. Moti Das, S/o Bachoo Das, Resident of Village- Kotaili, P.S.- Banka,
District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This is an application for grant of anticipatory bail for the
offences punishable under Section 7 of the Essential Commodities
Act.

Allegation is of recovery of 62 bags of rice from a
vehicle, of which the petitioner is a driver.

It has been submitted on behalf of the petitioner that
though the recovery of 62 bags of rice has been made but there is
nothing on record to suggest that the same belongs to the
Government Scheme. Petitioner has been made accused in this
case only on the basis of suspicion and there is nothing against the
petitioner.

Heard learned A.P.P. also.



Having heard both sides and in view of the fact that there is no material on record to suggest that the said recovery belongs to the scheme run by the Government, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, 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 learned Chief Judicial Magistrate, Banka, in connection with Banka P.S. Case No. 725 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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