

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16000 of 2017

Arising Out of PS.Case No. -22 Year- 2017 Thana -BODHGAYA District- GAYA

=====

Kailu Paswan, son of late Jagdeo Paswan, resident of village- Saidpur,
Police Station- Bodh Gaya, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate.

For the Opposite Party/s : Mr. Lalan Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 04-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bodh Gaya
P.S. Case No. 22 of 2017 instituted for the offence under Section
7 of Essential Commodities Act.

It is alleged against the petitioner that in course of
inspection of his PDS shop, 1.61 quintals of rice was found excess
and 7.26 quintals of wheat was found less. The petitioner did not
show any stock register to the authority concerned who had gone
for inspection.

It has been submitted on behalf of the petitioner that
he has been falsely dragged in this case. He has valid license and
he has not violated the provisions of any order issued under
Section 3 of the Essential Commodities Act. The food grains



available in the stock were intact with the sale and stock register and the petitioner is ready to produce the stock and sale register.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bodh Gaya P.S. Case No. 22 of 2017, he shall be released on anticipatory 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, Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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

