

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15980 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -BHARGAWAN District- ARRARIA

=====

1. Md. Nasir @ Nasir, S/o Umair Alam, Village- Madanpur (Chandbhag),
P.S.- Madanpur (Araria), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

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

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhargama P.S.

Case No. 193 of 2016 instituted for the offence under Section-7 of
Essential Commodities Act.

As per written report, three quintals and 55 kgs. of rice
were loaded on a pick up van. The petitioner is said to be owner of
the aforesaid van. It is alleged that rice loaded on the pick up van
was of Mid-day Meal scheme and it was carried for the purpose of
black-marketing.

It has been submitted on behalf of the petitioner that
FIR has been lodged after five days. In the meantime, the matter
was inquired and as per report of Prakhand Sadhan Sevika dated
14-12-2016, enclosed with the FIR, the aforesaid rice was not of
Mid-day Meal scheme. It has further been submitted that co-
accused namely, Md. Ibrahim @ Ibrahim has already been granted



privilege of anticipatory bail by this court by order dated 30-03-2017 passed in Cr. Misc. No. 14571 of 2017.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioner named above, in the event of his arrest or surrender in the court below within four weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Bhargama P.S. Case No. 193 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Araria subject to condition as laid down u/S 438(2) of the 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 petitioners 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.

(Sanjay Priya, J)

A.K.V./-

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

