

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23238 of 2017

Arising Out of PS.Case No. -621 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Mithilesh Kumar @ Mithilesh Chaudhary, S/o Prithvichand Chaudhari, R/o
Mohalla - Beldour, P.S. - Beldour, District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar-3, Advocate.

For the Opposite Party/s : Mr. Raj Kishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-05-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Madhepura
P.S. Case No. 621 of 2016 instituted for the offence under Section
7 of the Essential Commodities Act.

It has been submitted that name of this petitioner was
disclosed by the driver of the truck from which 299 bags of rice
and 144 bags of paddy were recovered.

It is alleged in the written report that the seized food
grains appeared to have been taken for black-marketing and those
bags were government rice. As such, from the written report itself
it appears that besides suspicion there is no any other specific
allegation against the petitioner that those bags of rice were
government rice and was being taken for black-marketing.



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 Madhepura P.S. Case No. 621 of 2016, 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, Madhepura, 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)

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