

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45750 of 2017

Arising Out of PS.Case No. -169 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Karu Sah @ Dinesh Sah Son of Late Govind Sah, R/o Village- Abjuganj,
P.S.- Sultanganj, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 02-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Sultanganj P.S. Case No. 169 of 2017 instituted for the offence under Section-7 of Essential Commodities Act.

Petitioner is the owner of the rice mill.

The allegation against the petitioner is that 1262 bags of rice kept in Jute bags were recovered from rice mill of the petitioner. It is alleged that those rice were kept for black marketing.

It has been submitted that rice is a free sale commodity and no any complaint has been made about the black marketing by this petitioner. It has been submitted that the petitioner has purchased paddy from the local market and used to sell the same in the market.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event



of his arrest or surrender in the court below within six 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 in Sultanganj P.S. Case No. 169 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Bhagalpur 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 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.

(Sanjay Priya, J)

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