

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38307 of 2017

Arising Out of PS.Case No. -98 Year- 2017 Thana -KAUAKOL District- NAWADA

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Suresh Prasad Mehta, Son of Late Baso Mahto, resident of Village- Shekho
Dewra, Police Station- Kauwa Kole, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 29-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Kauwa Kole**
P.S. Case No. 98 of 2017 instituted for the offence under Section
7 of Essential Commodities Act.

Learned counsel for the petitioner has submitted that
petitioner was not present at the time of raid conducted by the
informant at the instance of Vijay Kumar, the P.D.S. Dealer. The
said Vijay Kumar was on inimical terms with this petitioner. It has
further been submitted that earlier the petitioner was PACS
Chairman and he has another godown wherein all the rice were
kept.

From the written report it appears that alleged
checking of the godown was done in absence of this petitioner.



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 **Kauwa Kole P.S. Case No. 98 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 **Additional Chief Judicial Magistrate-IV, Nawada**, 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.

(Sanjay Priya, J)

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