

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39097 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -AKILPUR District- PATNA

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1. Awadhesh Kumar, S/o Late Saheb Lal Ray, Resident of Purani Pannapur,
P.S.-Akilpur, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Akilpur P.S. Case No.
42 of 2016 instituted for the offence under Section-7 of Essential
Commodities Act.

The allegation against the petitioner is that during
inquiry, 15.50 quintals of rice and 39.48 quintals of wheat was not
found in the stock and it is suspected that the same has been sold in
black-marketing.

Counsel for the petitioner has submitted that suspicion has
been raised against the petitioner. Licence of the petitioner has already
been cancelled. It has also been submitted that co-accused with similar
allegation has already been granted anticipatory bail by this court vide
order dated 14-07-2017 passed in Cr. Misc. No. 32485 of 2017.

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 Akilpur P.S. Case No. 42 of 2016 to the satisfaction of Sri Randhir Kumar, learned Judicial Magistrate-Ist Class, Danapur 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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