

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51336 of 2017

Arising Out of PS.Case No. -228 Year- 2017 Thana -BARHARA District- BHOJPUR

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Kamta Pandey S/o Late Ram Pujan Pandey, R/o Village- Mahuli Chain
Chapra, P.S.- Sinha O.P. (Barahara), District- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Singh, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Barahara (Sinha O.P.) P.S. Case No. 228/2017 instituted for the offence under Section 7 of the Essential Commodities Act.

Counsel for the petitioner has submitted that he is a P.D.S dealer. There is allegation that one mini truck was found in front of the shop of the petitioner on which 19 quintals of rice was found loaded. The driver told the informant that the seized rice belongs to the petitioner. Learned counsel for the petitioner further pointed out the statement of different consumers which is enclosed with the F.I.R. itself wherein all the consumers stated that they have received the rice dues to them. None of them levelled any allegation against the 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 Barahara (Sinha O.P.) P.S. Case No. 228/2017, shall be enlarged 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 the learned Sub-Divisional Judicial Magistrate, Bhojpur, Ara, subject to the conditions as laid down under Section 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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