

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51747 of 2017

Arising Out of PS.Case No. -139 Year- 2017 Thana -PURNEA SADAR District- PURNIA

=====

Dinesh Jaiswal @ Dinesh Prasad, Son of Late Biren Sah, resident of Belagola, Hari Nagar, P.S.- Ram Nagar, District- West Champaran presently resident at Gulabbagh, P.S.- Sadar, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Purnea Sadar P.S. Case No. 139 of 2017** instituted for the offence under Sections 420, 408 of the Indian Penal Code and Section 7 of Essential Commodities Act.

Learned counsel for the petitioner has submitted that rice is free sale commodities under the Bihar Control Order. There is allegation that driver of the Tractor has stated that he received rice from Niranjan Kumar of Madhubani, Purnea, and he was told to deliver the rice to Dinesh Kumar Jaiswal.

The seizure list has been enclosed with the written report wherein it is mentioned that rice was loaded on the tractor in front of the godown. The seizure list does not bear signature of



either this petitioner or any of his family members.

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 **Purnea Sadar P.S. Case No. 139 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 Chief Judicial Magistrate, Purnea**, 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)

U		T	
---	--	---	--

