

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53399 of 2016

Arising Out of PS.Case No. -98 Year- 2016 Thana -DARAUNDA District- SIWAN

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1. Vinod Kumar Prasad, S/o Late Balindra Prasad, Resident of Village-
Arwal Bazar, P.S.- Darounda, District- Siwan.

.... 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 Ashok Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-02-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Darounda Police Station Case No. 98 of 2016, disclosing
offences under Section 7 of the E.C. Act.

According to the prosecution case, 123 bags of rice
were seized, which was loaded on a Truck bearing Registration
No. UP13T-5517 and according to the driver of the said truck,
the same was being carried for illegal sale.

Learned Counsel for the petitioner has submitted
that the petitioner is not named in the F.I.R. In fact, the
petitioner, happens to be the owner of the vehicle, is a small
trader in free sale of food grains and has purchased the rice in



question from a rice Miller namely, Hari Om Rice Mill, Motihari. Merely on the suspicion, the informant has seized the rice in question. No case under Section 7 of E.C. Act is made out against this petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on 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, XI, Siwan, in connection with Darounda Police Station Case No. 98 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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