

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52664 of 2017

Arising Out of PS.Case No. -116 Year- 2016 Thana -GURUA District- GAYA

Badri Prasad Gupta @ Badri Kumar Gupta son of Bigan Sao,

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, APP

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-11-2017

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

From a rice mill 218.50 quintals of wheat was recovered.

Submission of the petitioner is that the petitioner is not a P.D.S. dealer nor the wheat is a controlled item nor evidence has come that the same is stolen property. In the circumstances, the offence as alleged is not made out.

Finding substance in the submission aforesaid,
let the petitioner, above named, in the event of his arrest or
surrender before the Court below within a period of thirty days



from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court- below where the case is pending in connection with Gurua Police Station Case No. 116 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Mkr./-

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

