

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2552 of 2017

Arising Out of PS.Case No. -67 Year- 2016 Thana -BHAPATIYAH I District- SUPAUL

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1. Md. Afroj Alam @ Afroz Alam, S/o Md. Khurshid Alam, Resident of Village - Majhari, P.S. - Nirmali, District - Supaul.
 2. Md. Jahangir Alam @ Md. Jahangir, S/o Md. Usman, Resident of Village - Bela, P.S. - Nirmali, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Kumar, Advocate

For the Opposite Party/s : Mr. Sri Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 31-01-2017 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners seek bail in connection with Bhaptiyahi P.S. Case No.67 of 2016 registered for the offence punishable under Section 7 of the E.C. Act.

Allegedly, the petitioner no.1 being the driver and the petitioner no.2 being the cleaner of a pick-up van were caught loading 100 bags of rice each containing 50 kgs. which was being taken by Sri Ram Narayan Yadav, PDS Dealer, to sell the same in black-marketing.

Submission is of false implication and that the petitioners have got no knowledge that the said rice was of



government supply, without any knowledge the petitioners have loaded the rice on the pick-up van and the petitioners by remaining in custody since 15.11.2016 now have been sufficiently penalized.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioners are directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Bhaptiahi P.S. Case No.67 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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