

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32471 of 2017

Arising Out of PS.Case No. -425 Year- 2016 Thana -DARBHANGA SADAR District-
DARBHANGA

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Bilat Kumar Sah @ Bilat Sah, S/o Ram Chandra Sah, R/o Mohalla-
Shibdhara, P.S.- Town, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shama Sinha, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 14-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Sadar P.S.

Case No. 425 of 2016 instituted for the offence under Section 7 of
Essential Commodities Act.

It is alleged that police seized one Tata Pick-up van
loaded with 12 bags rice. On enquiry, the driver of the vehicle told
that Bilat Sah (petitioner) of Mohalla Azam Nagar has loaded the
aforesaid rice from Shivdhara Bazar and fare of the said pick-up
van was fixed at Rs.700/-.

It has been submitted that petitioner does not belong to
Azamnagar. Moreover, in the written report, it is mentioned that
the seized rice appear to be the rice of the PDS shop.

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 Sadar P.S. Case No. 425 of 2016, 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, Darbhanga., 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)

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