

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44513 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -GURARU District- GAYA

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Smt. Namita Kumari, Wife of Kumar Shashi Shekhar @ Kumar Shashi Shekhar Singh, Resident of village- Diha, P.S.- Guraru, District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-09-2017

Heard learned counsel for the petitioner

and learned Additional Public Prosecutor for the State.

The petitioner is apprehending her arrest in a case registered for the offences punishable under Section 7 of Essential Commodities Act, 1955.

The petitioner is proprietor of a rice mill. From the rice mill of this petitioner, 225 quintals of rice were seized which was being loaded on a truck suspecting the same to be the rice of Government's subsidy scheme.

Submission of the petitioner is that the offence under Section 7 of Essential Commodities Act is not attracted, as rice is not a controlled item, the petitioner is a female and she has got no criminal antecedent.



Let the petitioner, above named, in the event of her 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 learned Additional Chief Judicial Magistrate, Gaya /successor Court in connection with Guraru P.S.Case No.57 of 2017, 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)

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