

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.430 of 2017

Arising Out of PS.Case No. -256 Year- 2016 Thana -DUMRA District- SITAMARHI

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Saroj Sah, Son of Raja Ram Sah, Resident of Village- Rasalpur, Police
Station- Dumra, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2017

This is an application for grant of anticipatory bail
for offences punishable under Section 7 of the Essential
Commodities Act.

Heard learned counsel for the petitioner.

It has been submitted on behalf of the petitioner that
allegation against the petitioner is of alleged seizure of 12 bags of
rice of P.D.S. dealer, there is no compliance of Section 100 of the
Code of Criminal Procedure. It is further submitted that though it
is alleged that 12 bags of rice containing 50 kg each were
recovered from the house of the petitioner but he has nothing to do
with those bags.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that there



is no compliance of Section 100 of the Code of Criminal Procedure for the seizure and petitioner has clean antecedent, let above named petitioner, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate, Sitamarhi, in connection with Dumra P.S. Case no. 256 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with condition that he will cooperate with the police during investigation.

(Vinod Kumar Sinha, J)

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