

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5708 of 2017**

Arising Out of PS.Case No. -155 Year- 2016 Thana -SALKHUA District- SAHARSA

=====

Nilam Devi @ Leela Devi, Wife of Shankar Singh, Resident of Village +  
P.O.-Maharas, P.S.-Salkhua, District-Saharsa.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR**  
**MISHRA**  
**ORAL ORDER**

3      18-04-2017                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

The petitioner apprehends her arrest in connection  
with Salkhua P.S. (Banma Itahri O.P.) Case No. 155 of 2016,  
registered under Section 7 of the Essential Commodities Act.

The accusation is of recovery of 14 bags of rice  
weighing 543 K.G. from the house of Dukho Tanti, which is said  
to be kept for black marketing.

Learned counsel for the petitioner submits that  
petitioner is not named in the F.I.R. but in course of investigation,  
it has come that petitioner, who is lady, had kept the alleged rice  
bags in the house of Dukho Tanti. It is further submitted that now  
the rice has been decontrolled and keeping of alleged rice will not



come within the preview of Section 7 of the Essential Commodities Act. Moreover, the name of the petitioner has been disclosed by the family members of co-accused, Dukho Tanti. It is further submitted that co-accused, Dukha Tanti @ Dukho Tanti, has already been granted privilege of anticipatory bail by this Court vide order dated 01.03.2017 passed in Criminal Misc. No. 7715 of 2015.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Saharsa, in connection with Salkhua P.S. (Banma Itahri O.P.) Case No. 155 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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