

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32485 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -AKILPUR District- PATNA

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Raj Kumar @ Raju Kumar, S/o Late Shivdatt Rai, Resident of Purani
Pannapur, P.S.- Akilpur, District- Patna.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, 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 Akilpur P.S.

Case No. 42 of 2016 instituted for the offence under Section 7 of
the Essential Commodities Act.

There is allegation against the petitioner that on
25.9.2016 he lifted 51.74 quintals of wheat and 77.61 quintals of
rice from the godown, but during stock inspection, 46 quintals of
rice and 28 quintals of wheat was found short. It is suspected that
the same has been sold in black-marketing.

The counsel for the petitioner has submitted that the
stock was not delivered to his shop. It has further been submitted
that for the aforesaid latches, the license of the PDS shop of the
petitioner has already been cancelled.



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 Akilpur P.S. Case No. 42 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 Shri Randhir Kumar, learned Judicial Magistrate, 1st Class, Danapur., 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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