

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8101 of 2017

Arising Out of PS.Case No. -139 Year- 2016 Thana -CHANDAN District- BANKA

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1. Dibakant Choudhary, son of Kamleshwari Prasad Choudhary, resident of Village- Kateli, Mohariya, P.S.- Banka, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 27-02-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Chandan Police Station Case No. 139 of 2016, disclosing offences under Section 7 of Essential Commodities Act.

Learned counsel for the petitioner has submitted that in fact the petitioner has not been named in the F.I.R. and mere on the basis of confessional statement of driver of the alleged vehicle, petitioner, who only happens to be the owner of the alleged vehicle, has been implicated in this case. Nothing has been recovered from the conscious possession of this petitioner, which is evident from seizure list. No case under Section 7(i) of the E.C. Act is made out against this petitioner. Hence, the



petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub- Divisional Judicial Magistrate, Banka, in connection with Chandan Police Station Case No. 139 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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