

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52386 of 2017

Arising Out of PS.Case No. -49 Year- 2017 Thana -DEODHA District- MADHUBANI

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1. Kameshwar Yadav, Son of Late Asheshwar Yadav @ Nathuni Gohibar
(Yadav), resident of Usarahi, P.S.- Deodha, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Narayan Rai

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner as well as the
State.

The petitioner apprehends his arrest in Deodha P.S.
Case No. 49/2017 instituted for the offence under Section 7 of the
E.C. Act.

Learned counsel for the petitioner has submitted that
the seizure-list, which is enclosed with the written report, was not
properly prepared as it does not contain signature of the petitioner
and the independent witnesses. It is alleged that during course of
inspection of the PDS shop of this petitioner, 19.50 quintal of wheat
and 29.25 quintal of rice was found short. Subsequently, on the
request made by the petitioner before the concerned authority,
inspection of the godown of the petitioner was done and no shortage
of wheat and rice was found in the godown, which would appear



from Annexure-2.

Considering the facts and circumstances of the case, the 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 Deodha P.S. Case No. 49/2017, 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 the learned Chief Judicial Magistrate, Madhubani, subject to the conditions as laid down under Section 438(2) of the 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 tamper 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.

(Sanjay Priya, J.)

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