

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59087 of 2017

Arising Out of PS.Case No. -270 Year- 2017 Thana -PALASI District- ARRARIA

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1. Md. Mustaque S/o Nijamuddin , R/o Village- Pokharia (Farasut), P.S and District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Jagdhar Prasad

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-12-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Palasi P.S. Case No. 270 of 2017 instituted for the offence under Section-7 of the Essential Commodities Act.

It is alleged that 130 bags of Arba rice were found loaded on a truck and driver fled away seeing the police. The petitioner is said to be owner of the vehicle.

It has been submitted that rice is a free sale item and there is no any allegation by any one against this petitioner that he was indulged in black marketing.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on



bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Palasi P.S. Case No. 270 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Araria subject to condition as laid down u/S 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 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.

(Sanjay Priya, J)

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