

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31553 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -GARKHA District- SARAN

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1. SADHUJI @ YOGENDRA PRASAD @ JOGENDRA PRASAD Son of
Late Mundrika Sah, Resident of Village- Sadhupur, P.S.- Garkha, District-
Saran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Garkha P.S.

Case No. 160 of 2017 instituted for the offence under Section-353
& other minor sections of the Indian Penal Code and 7 E.C. Act.

It is alleged in the written report that 60-65 bags of rice
belonging to Bihar State Food & Civil Supplies Corporation was
recovered from the mill of this petitioner and when the State
authority wanted to seize the same, the son of the petitioner and
other persons caused obstruction and also committed mar pit.

It has been submitted on behalf of the petitioner that the
petitioner is owner of the rice mill. The paddy is received by the
rice mill for conversion into rice. The petitioner being owner of
the rice mill, , has not committed any overt act.



In such circumstances, prayer for anticipatory bail is allowed 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 Garkha P.S. Case No. 160 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran at Chapra 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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