

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52122 of 2018

Arising Out of PS. Case No.-179 Year-2018 Thana- KISHUNPUR District- Supaul

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Sandeep Kumar S/o Dharam Singh, R/o Naurta (52), Bibi Pur Jattan, P.S.-
Indri, District- Karnal (Haryana).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-09-2018

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kisanpur P.S. Case No. 179 of 2018, disclosing offences under Section 414 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

From the first information report it transpires that the Block Supply Officer detected rice bags being loaded on a truck near the house-cum-shop of one Rajo Gupta. Allegedly, the said rice was released under the public distribution system, which was attempted to be consumed in black-market. Based on this allegation, the first information report has been registered.

Learned counsel for the petitioner has submitted that the petitioner has been implicated only on the ground that he is



the truck driver of the truck in question. There is no allegation of his involvement in the transaction, even if the case of the prosecution, as narrated in the first information report, is against him, he contends.

I find substance in the submission made on behalf of the petitioner. This application is, accordingly, allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned C.J.M., Supaul in connection with Kisanpur P.S. Case No. 179 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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