

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63448 of 2017

Arising Out of PS.Case No. -551 Year- 2017 Thana -BODHGAYA District- GAYA

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Jugeshwar Prasad @ Yugeshwar Prasad, Son of Late Mahadev Mahto, R/o
Village- Kurmawan, P.S.- Cherki, District- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-01-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Bodh Gaya**
(Cherki) P.S. Case No. 551 of 2017 instituted for the offence
under Sections 420, 406 of the Indian Penal Code and Section 7 of
Essential Commodities Act.

Learned counsel for the petitioner has submitted that
the alleged 36 bags of rice and 42 bags of wheat each containing
50 kg. has been recovered in a room situated in front of the house
of co-accused Gautam Thakur.

In the written report, mere suspicion has been raised
that aforesaid food-grains seized from the house of Gautam
Thakur has been purchased for black-marketing from the



petitioner who is PACS Chairman. Besides, this suspicion, there is no allegation of any overt act against the petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Bodh Gaya (Cherki) P.S. Case No. 551 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Gaya**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners 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 petitioners.

(Sanjay Priya, J)

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