

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16483 of 2018

Arising Out of PS. Case No.-242 Year-2017 Thana- KUSHESHWARSTHAN District-
Darbhanga

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Ram Shankar Rai son of Nuri Rai resident of Village - Usari, P.S. K. Asthan,
District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anant Kumar-1 & Kr. Ravish, Advocates.
For the Opposite Party/s : Mr. Sri Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner apprehends his arrest in K. Asthan P.S. case no.
242 of 2017 instituted for the offence under Section(s) 7 of the
E.C. Act.

In the written report it is alleged that 29 bags of paddy
and 41 bags of rice was found on a trailer which is said to
belong to petitioner.

Learned counsel submits that petitioner is P.D.S. dealer.
There was no complaint against the petitioner of any black
marketing. It is further submitted that rice and paddy are free
sale commodities.

In the facts and circumstances of the case, prayer of the



petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with K. Asthan P.S. case no. 242 of 2017, G.R. No. 958 of 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 S.D.J.M. Biraul (Darbhanga) 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) 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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