

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6905 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -FATEHPUR District- GAYA

=====

1. Navin Kumar Sinha, S/o Krishna Murari Prasad , R/o Village- Jhanakpur,
P.S.- Mohanpur, District- Gaya.
2. Mithilesh Yadav S/o Jhaman Yadav, R/o Village - Morhe, P.S.- Fatehpur,
District- Gaya. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-03-2018 Heard the learned counsel for the petitioners and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Fatehpur PS case no. 235 of 2017 registered for
the offences punishable under Sections 406, 420/34 of Indian
Penal Code and section 7 of Essential Commodities Act, 1955.

The allegation is regarding recovery of 54 bags of
rice from a pick-up van upon the pick-up van being apprehended
and the said van is stated to be belonging to the petitioner no. 2
whereas the rice belongs to the petitioner no. 1.

The learned counsel for the petitioners submits that
the rice and wheat along with some other goods have been
exempted from the requirement of licensing and restrictions
relating to stock limit and movement restrictions has also been
removed by an order dated 15.02.2002 which is Annexure 3 to the



present petition. It is further submitted that both the rice and pick-up van have been released by an order dated 20.02.2018 passed in CWJC no. 1957 of 2018. In nutshell, the submission of the petitioners is that the said rice is no longer a controlled item and there is no restriction in carrying the same from one place to another as such, no financial irregularity has been committed by the petitioners. It is further submitted that the petitioners have clean antecedents.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in connection with Fatehpur PS case no. 235 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

rinkee/-

U		T	
---	--	---	--

