

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10101 of 2018

Arising Out of PS. Case No.-176 Year-2017 Thana- BASOPATTI District- Madhubani

Santosh Kumar Murarka S/o Late Bihari Lal Murarka, R/o Village- Mahavir
Chowk Baso Patti, P.S.- Basopatti, District- Madhubani ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Pravin Kumar, Adv.
For the Opposite Party : Mr. Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 07-03-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner apprehends his arrest in Basopatti P.S.
Case No. 176 of 2017 instituted for the offence under Section
7 of the Essential Commodities Act.

It has been submitted by the learned counsel for
the petitioner that other co-accused persons with similar
allegation have been granted anticipatory bail by a coordinate
Bench of this court in Cr. Misc. No. 9348 of 2018 by order,
dated 17.02.2018.

Counsel for the petitioner submitted that the
petitioner deals in food grain, retailer in multiple outlets and
other departmental articles. In view of the notification of the
Government no licence is required for the dealer dealing in
multiple outlets.



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 **Basopatti P.S. Case No. 176 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 **Additional Chief Judicial Magistrate, V, Madhubani**, 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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