

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26650 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- THAKURGANJ District- Kishanganj

Shabbir Alam S/o Nizamuddin, R/o Manikpur , P.S.- Thakurganj, Distt.-
Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
		Mr. Firoz Ahmad, Adv.
For the Opposite Party/s :		Mr. Ajay Kumar -2

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 07-05-2018 Heard learned counsel for the petitioner and counsel
for the State.

In the present case, the petitioner is seeking anticipatory bail in connection with Thakurganj P.S. Case No. 39 of 2018 for offence under Section 414 of the Indian Penal Code and Section 7 of the E.C. Act.

As per allegation, a raid was conducted in the house of the petitioner from where huge quantity of rice was recovered and seized.

It has been claimed that the seized rice was meant for Mid Day Meal and the same was kept by one Ganesh Chaudhary, who was a Mid Day Meal Contractor.

Learned counsel for the petitioner submits that Mid Day Meal does not fall under the E.C. Act and when it was



being recovered, he was present at the spot and he has given an explanation of the nature of rice. He has further submitted that the petitioner had no knowledge about the theft of the rice, save and except that, as per his knowledge, the seized rice was the Mid Day Meal grain.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Shabbir Alam, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 learned Chief Judicial Magistrate, Kishanganj in connection with Thakurganj P.S. Case No. 39 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioner for investigation/interrogation, he will remain present and if he would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

(Shivaji Pandey, J)

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