

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30936 of 2018

Arising Out of PS.Case No. -389 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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1. Kapil Bind @ Kapil Dev S/o Late Madhuri Bind @ Late Mdhuri Bind,
Permanent R/o Vill.- Shivnandanpur, P.S.- Sultanganj, District- Bhagalpur
at present R/o Vill. & P.O.- Sandhwan, Teh - Kotkapura, District- Faridkot
(Punjab).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 21-06-2018 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Sultanganj P.S. Case No. 389 of 2017 registered for the offences
punishable under Sections 7 E. C. Act of the Indian Penal Code.

It is alleged that 64 bags of wheat and 167 bags of
rice were recovered from the house of the petitioner.

Learned counsel for the petitioner submits that, no
doubt, the house, from where the recovery was made, belongs to
the petitioner but, as a matter of fact, petitioner had left his home
32 years ago and settled down at Punjab. It is submitted that the
aforesaid house is an abandoned house which is evident from



perusal of column 2 of seizure list.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Bhagalpur, in connection Sultanganj P.S. Case No. 389 of 2017 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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