

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.29902 of 2018**

Arising Out of PS. Case No.-194 Year-2015 Thana- GOGRI District- Khagaria

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Amod Kumar, S/o Late Jageshwar Choudhary, R/o Village- Khatha, P.S.-  
Gogari, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Sakir Ahmad, APP

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      28-06-2018                      Heard learned counsel for the petitioner and the  
  
State.

The petitioner apprehends arrest in Gogari (Paura)  
P.S. Case No. 194 of 2015 instituted for the offence under  
Sections 421 of the IPC and Section 7 of the Essential  
Commodities Act.

Learned counsel for the petitioner submits that in the  
written report itself, it is mentioned that alleged rice has been  
recovered from the house of Bhriugu Choudhary. This petitioner  
was contractor to supply midday meal rice in the school. There  
is no any allegation of misappropriation of rice against the  
petitioner as not a single bag of rice has been recovered from his  
house.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Gogari (Paura) P.S. Case No. 194 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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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