

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38743 of 2018

Arising Out of PS.Case No. -82 Year- 2018 Thana -DHAMDHAHA District- PURNIA

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1. Vinay Kumar Bharti S/o Late Dev Narayan Ray @ Dev Narayan Ram,
R/o Vill.- Dhamdaha, Dhar Tola, P.S.- Dhamdaha, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Dhamdaha P.S. Case No. 82 of 2018, registered for the offence punishable under Section 7 of the E.C.Act.

Allegation against the petitioner is that some government rice was intercepted from a truck and the driver of the said vehicle was arrested.

Submission of learned counsel for the petitioner is that petitioner is neither driver nor the owner of the said truck and he is not named in the F.I.R. but later on his name transpired in the supervision note of the Deputy Superintendent of Police stating that the petitioner is owner of Om Rice Mill and the said rice were being brought to Om Rice Mill for selling.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Purnea, in Dhamdaha P.S. Case No. 82 of 2018, subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further conditions are that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and further condition is that they have to co-operate in the investigation of the case and make himself available as and when required by the police, otherwise the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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