

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.143 of 2018

Arising Out of PS.Case No. -270 Year- 2017 Thana -PALASI District- ARRARIA

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Iftexhar Alam, Son of Jakir Hussain, Resident of Village Motihara P.S. & District Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Sri Shyameshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 15-01-2018 Heard both sides.

The petitioner apprehends his arrest in Palasi P.S. Case No.270 of 2017 registered under Section 7 of the Essential Commodities Act.

Allegation against the petitioner that the petitioner was driving the vehicle bearing Registration No.BR-11S-9153 loaded with 130 bags filled with rice.

The informant alleged that all the bags were sealed of FCI but the driver and owner of the vehicle fled away.

The learned counsel for the petitioner submits that of course the bag bears the seal of FCI but the owner of the rice purchased the bags in market and filled the bags with rice. The petitioner was carrying the same.



The owner of the vehicle Md. Mustaque has already been granted anticipatory bail by this Court in Cr. Misc. No.59087 of 2017 on 12.12.2017. The petitioner is driver of the vehicle and on the instruction of his owner, he was driving the vehicle.

Considering the facts aforesaid and the nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt / production of a copy of this order is directed to be enlarged 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 S.D.J.M., Araria in connection with Palasi P.S. Case No.270 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Sanjeev/-

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