

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3051 of 2018

Arising Out of PS.Case No. -374 Year- 2017 Thana -BAKHTIARPUR District- SAHARSA

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1. Sanjay Yadav, Son of Fulkant Yadav, Resident of Village-Gopalpur,
P.S.-Bakhtiyarpur, O.P. Balwahat, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bakhtiyarpur P.S. Case No. 374 of 2017 instituted for the offence under Section-7 of the Essential Commodities Act.

It is alleged in the written report that the informant intercepted one Bolero Pick Up Van loaded with 34 jute bags of Arwa Rice with sample of FCI and the driver did not produce any document or papers and on interrogation, disclosed that said rice belongs to PDS dealer Sanjay Yadav (petitioner).

In this manner, there is no recovery from possession of the petitioner. The name of the petitioner has been disclosed by co-accused.

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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Bakhtiarpur P.S. Case No. 374 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Saharsa 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 date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner and (3) if 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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