

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51749 of 2018

Arising Out of PS.Case No. -155 Year- 2018 Thana -KASBA District- PURNIA

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Rakesh Sah, S/o Rameshwar Sah, R/o Vill. + P.S.- Dagarwa, District-
Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 31-08-2018

Learned counsel for the petitioner is permitted to
make necessary correction in para 1 with regard to sections of the
case.

Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner apprehends his arrest in **Kasba P.S. Case
No.155 of 2018** instituted for the offence under Section(s) 420,
120(B) Indian Penal Code and Section 7 of the E.C. Act.

Counsel for the petitioner submits that petitioner was
not apprehended at the spot. Arwa rice loaded on two tempos were
seized and one of the Tempo Driver disclosed the name of this
petitioner and others that they have purchased the rice from Balaji
Rice Mill.

Counsel for the petitioner further submits that petitioner



is bonafide purchaser of rice for personal use.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Kasba P.S. Case No.155 of 2018**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sub-Divisional Judicial Magistrate, Purnea**, subject to the conditions as laid down under Section 438(2) 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 his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond 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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Rohit Kr.

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