

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63888 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- MADHUBAN District- East Champaran

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1. Pramod Chaudhary, Son of Binda Chaudhary, Resident of Village- Narvara, P.S.- Tariyani, District- Shiohar.
 2. Raju Prasad, Son of Rajinder Prasad, Resident of Village- Sawaniya, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 12-12-2018 The petitioners seek bail in anticipation of their arrest connection with Madhuban P.S. Case No. 127 of 2018, dated 14.07.2018, instituted for the offences under Section 7 of the Essential Commodities Act, 1955.

Wheat in huge quantity, meant to be distributed under the Public Distribution System, was being unauthorizedly carried on a vehicle which was seized. The petitioners are the owner and the driver of the vehicle respectively.

The learned counsel for the petitioners has submitted that the vehicle in question is a commercial



vehicle and the P.D.S. dealer had taken the aforesaid vehicle on hire.

It is quite different that the vehicle also can be confiscated under the E.C. Act, 1955, but then, this Court is dealing with the criminal accusation against the petitioners.

Considering the aforesaid facts, the petitioners above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Madhuban P.S. Case No. 127 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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