

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75234 of 2018

Arising Out of PS. Case No.-439 Year-2018 Thana- MANER District- Patna

Rudal Rai S/o Late Jhalak Rai Resident of Munji Tola, Panchayat Kita
Chouhattar Madhya, P.S. Maner, Distt. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sujeet Kumar Gupta

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Maner P.S. Case No. 439 of 2018 dated 31.08.2018 registered under Sections 379, 420 of the Indian Penal Code and under Section 7 of the E.C. Act pending in the court of learned Judicial Magistrate, 1 Class, Danapur, Patna,

Learned counsel for the petitioner submits that petitioner is a PDS Dealer. As per allegation when the inspection was carried on the petitioner was not present there and there was shortage of grains. Learned counsel representing the petitioner submits that the petitioner had gone to the office of S.D.O. as called for on 31.08.2018 with all relevant documents, but the S.D.O. Danapur was not there in the office. It is submitted that there is no shortage of food-grains and



therefore it cannot be a case of section 379, 420 of the I.P.C. and Section 7 of the E.C. Act. It is submitted that petitioner has no criminal antecedent.

Learned counsel for the State is present and opposes the prayer of anticipatory bail of the petitioner.

In the given facts and circumstances of the case, in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, District – Patna, in connection with Maner P.S. Case No. 439/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of three weeks from today and shall cooperate in course of investigation, failing which the Investigating Officer shall be at liberty to take steps for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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