

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2850 of 2018**

Arising Out of PS.Case No. -136 Year- 2017 Thana -PASRAHA District- KHAGARIA

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Manikant Sah, S/o Dhohray Sah, R/o Village- Bari Pasraha, P.S.- Pasraha,  
District- Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Binod Kumar, Advocate.

For the Opposite Party/s : Dr. Ajeet Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      17-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Pasraha P.S.**

**Case No. 136 of 2017** instituted for the offence under Sections 353, 506/34 of the Indian Penal Code and Section 7 of Essential Commodities Act.

It is alleged by the informant that on receiving confidential information that rice of Public Distribution System are kept in the house of Pappu Sah and Sanjay Kumar @ Sallam, he along with police officials raided the house of the accused persons and seized those rice. It is further alleged that when the seized rice were loaded on the tractor, the petitioner and other accused persons caused obstruction in discharge of duty of the police party and forcibly stopped the seized rice loaded by the



informant on tractor.

As such, there is no recovery from possession of this petitioner which would be apparent from written report itself. Mere vague and general allegation has been levelled against this petitioner.

It is mentioned in paragraph-3 of the bail petition that petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Pasraha P.S. Case No. 136 of 2017**, 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 **learned Sub Divisional Judicial Magistrate, Khagaria**, 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 their 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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