

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18624 of 2018

Arising Out of PS.Case No. -3 Year- 2018 Thana -DAGARUA District- PURNIA

- =====
1. Md. Tayabul Son of Md. Mohiuddin, R/o village- Bangarora, P.S. Baisi, District- Purnea.
 2. Abdulla@ Abdullah Son of Noor Muhammad, R/o Salimpur Balrampur, P.S. Bairojee, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 04-05-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend arrest in connection with
Dagarwa Police Station Case No. 3 of 2018 registered for the
offence under section 7 of the Essential Commodities Act.

It has been submitted that the petitioner is an owner
of tractor and trailer and his tractor was hired by one Md. Tabrej
@ Tabrej for transporting rice which was purchased by him from
the rice mill. Md. Tabrej has already been allowed anticipatory
bail by one of the coordinate Bench of this Court in Cr. Misc.
No.18596 of 2018. The petitioner is an owner of tractor and had
no concern with the said rice. The allegation of dealing with rice



against the petitioner is omnibus.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within a period of six weeks, be enlarged on bail on furnishing bail bond of Rs. 10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea in connection with Dagarwa Police Station Case No. 3 of 2018, subject to the condition as laid down under section 438 (2) of the Criminal Procedure Code. Further condition is that (1) one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. (2) The petitioners will not induce any witness or tamper with the evidence. (3) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(Sanjay Kumar, J)

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