

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3138 of 2018

Arising Out of P.S.Case No. -100 Year- 2017 Thana -KASMA District- AURANGABAD

=====

Basanti Devi W/o Sri Harihar Lal , R/o Village- Gamhariya, P.S.- Kasma,
Distt.- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Anirudh Kumar Verma, Advocate

For the Opposite Party : Mr. Dilip Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 01-02-2018 Heard.

The petitioner apprehends arrest in connection with Kasma P.S.Case No.100 of 2017 registered for an offence under Section 420 of the IPC.

The informant of this case is Block Supply Officer. It has been alleged that this petitioner who is PDS dealer was indulged in black-marketing of wheat meant for public distribution system.

The learned counsel for the petitioner submits that the petitioner is a PDS dealer having clean antecedent. She has not committed any illegality in distribution of grains. This petitioner has no concern with the tractor which were apprehended by the villagers. Neither the informant nor any of the government employee inspected the premises of the petitioner in order to verify the stock of the petitioner. The tractor in question was



apprehended at different place and there is no material to show that the said grains were taken from the premises of the petitioner for the purpose of selling in open market. The present case has been lodged at the instance of enemy of the informant for various reasons.

However, learned APP opposed the submissions.

Considering the facts and circumstances, the prayer for anticipatory bail is allowed. Let the above named petitioner in the even of his arrest or surrender before the court below within six weeks from today 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 ACJM-VI, Aurangabad in connection with Kasma P.S.Case No.100 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

B.Kr./-

U		T	
---	--	---	--

