

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46026 of 2018

Arising Out of PS.Case No. -288 Year- 2017 Thana -DHURAIYA District- BANKA

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1. Raju Sah, Son of Late Satya Narayan Sah,
2. Sanni Kumar Sah @ Amar Kumar Sah, S/o Raju Sah, Both resident of
Village- Sagunia Police Station- Dhoraiya, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Dhoraiya P.S.Cae No.288 of 2017 , registered for offences punishable under Sections 7 of the E.C. Act.

Allegation against the petitioners is of black-marketing the rice in 405 bags, which have been recovered from the vehicle and the petitioner claims the aforesaid rice.

Submission of the learned counsel for the petitioners is that he has valid challan for sale and purchase of the rice and he has purchased the same from the Mill and Annexure 2 series shows that he is licensee having valid challan for the same.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and



circumstances, as stated above , let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Banka in connection with Dhoraiya P.S.Case No.288 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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