

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57680 of 2017

Arising Out of PS.Case No. -412 Year- 2017 Thana -SIWAN MUFFASIL District- SIWAN

=====

Harendra Ram, Son of Late Balchand Ram, resident of Village- Hasua, P.S.
Nawtan, District- Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

=====

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 19-01-2018 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Siwan Muffasil P.S. Case No. 412 of 2017 for the offence punishable under section 7 of the Essential Commodities Act.

Allegedly, pick-up van bearing registration no. BR29L-9618 loaded with 6 quintals 50 Kgs. wheat and 9 quintals 50 Kgs. rice were of the P.D.S. shop of the petitioner which was being taken away for black marketing.

Submission is of false implication and that who has stated the name of the petitioner is not disclosed in the First Information Report, during investigation also no one has come forward to say that the petitioner has sold the said wheat and rice,



the driver who was caught with the pick-up van has stated in paragraph- 18 of the case diary that he does not know as to whose grains was loaded in the pick-up van. Krishna Kumar Gupta in paragraph- 19 of the case diary has stated that he has purchased the grains and was going to sell the same, no beneficiary has come forward to make complaint against the petitioner and further no authority has complained against the petitioner and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M, Siwan in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

Abhay/-

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

