

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12658 of 2018

Arising Out of PS.Case No. -281 Year- 2017 Thana -TEKARI District- GAYA

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Nipu Kumar @ Nippu Kumar, S/o Sri Ramakant Sharma, R/o Village-
Sikaria, P.S.- Tekari and District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Secretary, Food and Civil Supplies Department, Govt. of Bihar, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2, Advocate.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-03-2018

Heard learned counsel for the petitioner and the State.

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

Case No. 281 of 2017 instituted for the offence under Sections 7
and 9 of Essential Commodities Act.

It is alleged in the written report that out of four
vehicles as mentioned in the written report, two vehicles belong to
the petitioner, on which, the rice of SFC was illegally loaded from
M/s. 'Maa Tara Rice Mill' which was noticed during electronic
surveillance.

Learned counsel for the petitioner has submitted that
he is driver of the vehicle bearing Registration No. BR-02Q-6353.

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 **Tekari P.S. Case No. 281 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 Chief Judicial Magistrate, Gaya**, 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 his 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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