

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27230 of 2018

Arising Out of PS.Case No. -488 Year- 2017 Thana -AMARPUR District- BANKA

1. Amit Kumar Bhagat, S/o Sri Dharampal Bhagat, Resident of Village-Khesar, P.S. Belhar Khesar, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 07-05-2018 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.

54 bags of rice were recovered from a vehicle which was said to be of the petitioner. The rice was found packed in the bags of Bihar State Food Corporation.

Submission is that rice is not a controlled item, hence, offence under Section 7 of the Essential Commodities Act is not applicable. Moreover, the petitioner is not a PDS Dealer. Different businessmen are using the empty bags of the State Food Corporation after purchasing the same from market for the purpose of carrying goods. Petitioner is in custody since



20.02.2018. Petitioner has stated on oath that he has got no criminal antecedent.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Amarpur Police Station Case No. 488 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Sanjeev

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