

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43948 of 2018

Arising Out of P.S.C.ase No. -108 Year- 2018 Thana -PARWATTA District- KHAGARIA

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1. Pradeep Kumar S/o Late Sadanand Yadav, R/o Vill.- Ward No. 1,
Jamhara, P.S.- Sourbazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner as well as

the State.

The petitioner apprehends his arrest in Parbatta P.S.
Case No. 108/2018, instituted for the offence punishable under
Section 7 of Essential Commodities Act.

Learned counsel for the petitioner has submitted that
there is no shortage of grain found in the godown of the FCI. It is
further submitted that the petitioner is not a PDS dealer. He has no
concern with the aforesaid rice. Petitioner is a step-door agent.
Other co-accused have already been granted bail vide orders dated
11.05.2018 and 28.06.2018 passed in Cr. Misc. Nos. 27665 of
2018 and 29543 of 2018 respectively.

Considering the facts and circumstances of the case,



the 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 Parbatta P.S. Case No. 108/2018, 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 the learned Sub-Divisional Judicial Magistrate, Khagaria, subject to the conditions as laid down under Section 438(2) of the 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper 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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