

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10215 of 2018

Arising Out of PS. Case No.-227 Year-2017 Thana- GUTHNI District- Siwan

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1. Jagdish Prasad S/o late Harihar Prasad @ Harihar R/o village Sohagra Bazar, P.O. Sohagra, P.S. Guthani, Dist. Siwan.
 2. Rana Pratap @ Rana Pratap Singh S/o Sudama Singh, R/o village- Tanrwa Khurd, P.O. Bakulani, P.S. Guthani Dist. Siwan.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Shahi
For the Opposite Party/s : Mr. SMT INDU KUMARI SRIVASTAVA

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioners apprehend their arrest in Guthani P.S. case no.
227/17 instituted for the offence under Section(s) 7 of the
Essential Commodities Act, 1955 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner no.1 is proprietor of M/S Jai Maa Trading company
and petitioner no.2 is the owner of the truck.

In the written report, it is alleged that one truck was



seized by the police on which wheat was found loaded in jute bags. Nobody came to claim the wheat.

Learned counsel submitted that wheat is free sale commodity. The informant has instituted the case merely on suspicion as none appeared to claim the wheat.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Guthani P.S. case no. 227 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Siwan,, 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) petitioners 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 petitioners and (3) if petitioners 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



petitioners.

(Sanjay Priya, J)

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