

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11408 of 2019

Arising Out of PS. Case No.-130 Year-2018 Thana- Rajepur District- East Champaran

Subodh Kumar @ Subodh Kumar Yadav @ Subodh Kumar Rai, Son of Late
Jagarnath Rai Resident of Village - Madhuaha Mal, P.S.- Rajepur, District-
East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 27-03-2019 The petitioner had earlier approached this Court for

grant of anticipatory bail vide Cr. Misc. No. 71627 of 2018

which was permitted to be withdrawn in order to enable the

petitioner to prefer a fresh and properly drafted bail petition.

The petitioner seeks bail in anticipation of his

arrest in connection with Rajepur P. S. Case No. 130 of

2018 dated 22.08.2018 instituted for the offences under

Sections 7 of the Essential Commodities Act, 1955.



It appears that a pick-up van with 1850 kg. of rice loaded on it was intercepted in front of the house of the petitioner. As such the subject F.I.R., namely, Rajepur P. S. Case No. 130 of 2018 dated 22.08.2018 for the offences under Sections 7 of the Essential Commodities Act, 1955 was registered against the petitioner.

Learned counsel for the petitioner submits that the petitioner is not a PDS Dealer and, therefore, Section 7 of the Essential Commodities Act would not get attracted against him. Apart from this, the petitioner has submitted that the aforesaid rice was arranged/purchased by him for the purposes of using the same in a religious function which was to be held at the house of the petitioner.

Considering the afore-stated facts, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-



Divisional Judicial Magistrate, Sadar, Moti,, East Champaran

in connection with Rajepur P. S. Case No. 130 of 2018,

subject to the conditions as laid down under Section 438 (2)

Cr.P.C.

(Ashutosh Kumar, J)

skm/-

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