

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22579 of 2019

Arising Out of PS. Case No.-423 Year-2018 Thana- BARACHATTI District- Gaya

MURARI PRASAD KESHRI, Son of Krishna Prasad Keshri, Resident of Village - Tetariya Khurd, Area Land Mark, Near Government School, Panchayat bara, P.s.- Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 10-04-2019 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barachatti Police Station Case No. 423 of 2018, disclosing offences under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The petitioner is the owner of a pick-up van. From the said pick-up van, the Block Supply Officer, Barachatti, is said to have recovered 37.50 quintals of rice. Allegation is that the petitioner, after illegally purchasing rice from a P.D.S. dealer, was taking it for sale in black market.

Learned Counsel for the petitioner submits that he is not a P.D.S. dealer and, therefore, Section 7 of the Essential



Commodities Act will have no application. It is also submitted that the petitioner has no criminal antecedent and there is no chance of his fleeing from the course of investigation or trial.

Considering the above submission, this application is allowed.

Let the petitioner, Murari Prasad Keshri, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Barachatti Police Station Case No. 423 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J.)

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