

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80541 of 2018

Arising Out of PS. Case No.-103 Year-2018 Thana- RAUTA District- Purnia

Md. Asad son of Md. Ytim resident of village- Rani Tola, P.S- Amour,
District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Respondent/s : Mr.Sri Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is an application for grant of regular bail filed by the petitioner. Petitioner is in custody in connection with Rauta PS Case No. 103 of 2018 for the alleged offence under Section 420 of the Indian Penal Code and Section 7 of the E.C.Act.

Learned counsel for the petitioner would submit that the petitioner is in custody since 29.10.2018. Learned counsel further submits that in the instant case owner of the vehicle has been granted bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 77774 of 2018 vide order dated 03.01.2019. The Court granted bail noticing the fact that food grains seized are not of P.D.S. and as such Section 7 of the EC Act is not attracted and released the petitioner who is the owner of the vehicle. It is



submitted by learned counsel for the petitioner that since the petitioner is only the driver of the vehicle carrying such food grains he deserves bail.

Considering the totality of the fact situation and that the petitioner is in custody since 29.10.2018, this application is allowed. Accordingly, let the petitioner above named, 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 Sub Divisional Judicial Magistrate, Purnea in connection with Rauta PS Case No. 103 of 2018.

(Anil Kumar Upadhyay, J)

mrl./-

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