

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31570 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- SAUR BAZAR District- Saharsa

MAHENDRA DAS S/o Late Baijyanath Das R/o village- Lahauna, Ward No. 05, Panchayat- Pastpar, Distt.- Saharsa

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Parth Gaurav

For the Opposite Party/s : Mr. R.B. Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sourbazar (Pastpar) P.S. Case No. 41 of 2019 for the offence punishable under Section 7 of the E.C. Act.

Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is not a P.D.S. dealer and, therefore, Section 7 of the E.C. Act cannot be applied against him. It has also been submitted that 48 bags of rice, recovered from the go-down of the petitioner, belong to him, duly purchased and not illegally obtained from any P.D.S. dealer

Be that as it may, considering the nature of allegation against the petitioner, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on 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 C.J.M., Saharsa, in Sourbazar (Pastpar) P.S. Case No. 41 of 2019, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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