

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40947 of 2019

Arising Out of PS. Case No.-33 Year-2019 Thana- BARHARA KOTHI District- Purnia

MD. KAMAL, aged about 45 years, Male, Son of Md. Wajir R/o Banmankhi,
P.S.- Banmankhi, District- Purnea ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Dr. Bidhu Ranjan, Adv.

For the Opposite Party : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Barhara P.S. Case No. 33 of 2019 for the offence alleged under
Section 7 of the Essential Commodities Act.

The accusation is that on receiving the secret
information about carrying subsidized grains loading on tempo
for black marketing, the Block Supply Officer, 'B' Kothi
Purnea, visited for inspection, 7 bags of rice, each containing 60
Kg, and one bag wheat, containing 60 Kg, recovered from the
tempo, bearing registration no. BR11M-1976, which was being
driven by Md. Aziz, son of the petitioner, who did not give any
proper reply regarding carrying the same.

The learned counsel appearing for the petitioner
submits that petitioner being the owner of tempo in question,



which was being driven by his son, Md. Aziz, has falsely been implicated in this case with ulterior motive. The petitioner has no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Barhara P.S. Case No. 33 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Purnea, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure.

(Rajendra Kumar Mishra, J)

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