

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44072 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- KHAGARIA District- Khagaria

Parmila Devi Wife of Chamru Sah, Resident of Village - Sansarpur, Ward No. 18, P.S.- Khagaria (Muffasil), District – Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Khagaria (Muffasil), P.S. Case No. 237 of 2019 registered for offence punishable under section 7 of the Essential Commodities Act.

The Police intercepted a pick up van loaded with 40 bags of rice and driver disclosed the name of this petitioner and stated that on whose behalf, he was carrying the goods, it has come in the enquiry that the petitioner used to purchase the essential goods from the consumer and used to sell it in the open market.

The learned counsel for the petitioner submits that there is no evidence of the consumer who has disclosed that the



petitioner has purchased the goods from them and merely on that ground she has been made accused. The petitioner is neither a PDS dealer nor driver.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and she, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil), P.S. Case No. 237 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make herself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of her bail bond. Whenever the Police will call petitioner for the purpose of interrogation/investigation, she will present herself, In case



of failure on two consecutive dates without any valid reason, the prosecution will have liberty to make a prayer for cancellation of her bail before the court below.

(Shivaji Pandey, J)

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