

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47359 of 2019

Arising Out of PS. Case No.-32 Year-2019 Thana- PUWAKHALI District- Kishanganj

1. JUGESH MANDAL @ JUGESH KUMAR MANDAL, son of Chandar Lal Mandal, resident of village- Chauri (Chauri Hat) Kaliyaganj, P.S.-Palasi, District- Araria.
2. Ranjan Sah @ Shri Ranjan Sah, son of Shri Laxmi Sah, resident of village- Dehti, P.S.-Palasi, District- Araria.
3. Durul Alam, son of Abdul Hanan, Resident of Village- Dangibadi, P.S.-Thakurganj, District- Kishanganj.
4. Naimuddin @ Naimudin Ansari @ Nayeemuddin, son of Mukhtar Ansari, resident of village- Matigara (Balason), P.S.-Matigara, District-Darjeeling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Lal
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 05-08-2019 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners seek bail in **Powakhali P.S. Case No.32 of**
2019 instituted for the offence under Section(s) 7 of the E.C.
Act.

Counsel for the petitioners submits that petitioner No.1 is Proprietor of M/s Jugesh Traders, petitioner No.2 is his employee, petitioner Nos.3 and 4 are drivers of the Truck. It has been submitted that informant inspected two trucks, as mentioned in the written report, and found 450 bags of wheat loaded on truck bearing registration No. BR 37GA 2315 and 405 bags of wheat on truck bearing registration No. NL 01 8151



total 855 bags of wheat were found having seal of Bhartiya Khadya Nigam, Punjab. It is mentioned that driver of both trucks had fled away. They, however, again appeared and produced Challan of M/s Jugesh Traders and M/s Raj Traders, but the informant disbelieved the documents saying that if the drivers were having bonafide documents, why they had fled away after jumping the truck.

In this manner, it appears that petitioners have been arrested merely on suspicion. Both the truck drivers were having valid Challans.

Petitioners are in custody since 28.05.2019.

In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Judicial Magistrate, 1st Class, Kishanganj**, in connection with **Powakhali P.S. Case No.32 of 2019**, subject to the condition that both the bailors shall be close relative of the petitioners.

(Sanjay Priya, J)

J. Alam/-

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