

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51475 of 2019

Arising Out of PS. Case No.-43 Year-2019 Thana- RUPAULI District- Purnia

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RUPA KUMARI Wife of Jai Shanker Prasad Resident of Village-Noorpur
(Near block) Police Station-Nathnagar, District-Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anita Kumari Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Rupauli P.S. Case No. 43 of 2019, disclosing the offence under
Section 7 of the Essential Commodities Act.

Petitioner is the proprietor of Rupa Shankar Bharat
Gas Agency, Birouli in the district of Purnea. The police are said
to have intercepted a tempo loaded with 25 gas cylinders in
suspicious condition. In course of enquiry, the police is said to
have learnt that the cylinders were required to be provided to the
beneficiaries under Ujjawala Scheme.

Learned counsel appearing on behalf of the petitioner
has submitted that on the date when the seizure was made the
petitioner was not present and the driver of the tempo has been



allowed anticipatory bail by the court below.

Considering the facts and circumstances, 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 bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in Rupauli P.S. Case No. 43 of 2019, subject to the condition 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.

It is, however, indicated that if the petitioner is found to be indulging in similar activity in future, the prosecution shall be at liberty to apply for cancellation of bail granted by virtue of the present order.

(Chakradhari Sharan Singh, J)

Rajesh/-

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