

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55289 of 2019

Arising Out of PS. Case No.-528 Year-2019 Thana- DANAPUR District- Patna

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BINODJI @ BINOD KUMAR Son of Ramchandra Prasad Resident of
Village - Nariyalghat - Nasriganj, P.S.- Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigank Mauli

Mr. Vinay Mistry

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

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 03-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Danapur P.S. Case No. 528 of 2019, disclosing the offence under Section 7 of the Essential Commodities Act, 1955.

Co-accused Sheoji Choudhary is a PDS dealer. The FIR has been registered on the basis of a written application of the Incharge Block Supply Officer, Danapur based on recovery of 20 bags of rice from a vehicle near Sharda Niwas. The PDS shops of Sheoji Choudhary and one Ved Prakash are run in the said Sharda Niwas premises. The petitioner has been implicated on the basis that the persons, who were found transferring rice from gunny bags to plastic bags, had disclosed his name, who had employed them.



Learned counsel appearing on behalf of the petitioner has submitted that no offence under Section 7 of the Essential Commodities Act can be said to be made out against the petitioner. He has further submitted that since there is no material against the petitioner, except for the said disclosure made by the labourers, the petitioner deserves anticipatory bail.

Considering the above, 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 ACJM-I, Danapur in Danapur P.S. Case No. 528 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.

(Chakradhari Sharan Singh, J)

Rajesh/-

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