

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55286 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- HARLAKHI District- Madhubani

RANJIT THAKUR @ RANVIT THAKUR Son of Late Chandeshwar Thakur
Resident of Village - Jaso, P.S.- Basopatti, Distt - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr. Udbhav
For the Opposite Party/s	:	Mr. Parmeshwar Mehta

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 Harlakhi P.S. Case No. 89 of 2019, disclosing the offence under Section 7 of the Essential Commodities Act.

The petitioner is the owner of a rice mill. A raid was conducted by the Supply Inspector, Harlakhi, Madhubani leading to recovery of huge quantity of *Arwa* rice (132 bags). Allegedly, no paper was shown to the raiding party in support of presence of rice in the rice mill. In such circumstance, under a suspicion that the owner of the rice mill must have purchased the rice in black market, the FIR has been lodged.

Learned counsel appearing on behalf of the petitioner has submitted that no offence under Section 7 of the E.C. Act



can be said to be made out against the petitioner, he not being a PDS dealer. He further submits that there is no restriction over purchase and storage of rice under any law for the time being in force. He has also submitted that petitioner has no criminal antecedent.

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 Sub-Divisional Judicial Magistrate, Benipatti, Madhubani in Harlakhi P.S. Case No. 89 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)

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