

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55785 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- SURYAGARHA District- Lakhisarai

RAJESH MANDAL S/o Kapil Mandal R/o Dayal Tola, Balupar Lakhisarai,
P.S.- Lakhisarai, Distt.- Lakhisarai

... .. Petitioner

Versus

1. The State of Bihar
2. Ravindra Kumar Singh S/o Late Bimlendu Bhushan Singhl Presently Block
Supply Officer, Barahia, Lakhisarai

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 04-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Suryagarha P.S. Case No. 183 of 2019 for the offence
punishable under Section 7 E.C. Act.

The petitioner is driver of a mini truck, which was
found, loaded with huge quantity of rice and wheat, by the
Block Supply Officer, Barhiya, parked near the shop of co-
accused Ashok Saw. It is alleged in the First Information Report
that on demand, Ashok Saw and his brother Rajesh Saw, refused
to furnish any document in support of the food grains and
subsequently they managed to stealthily flee away.

Learned Senior Counsel appearing on behalf of the
petitioner has submitted that no licence is needed for rice or



wheat under the provisions of the Essential Commodities Act, as the said items are de-licence. He has accordingly submitted that no offence under Section 7 of the E.C. Act can be said to be made out. It has been asserted in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the above submission, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Lakhisarai, in Suryagarha P.S. Case No. 183 of 2019, subject to the conditions 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)

Pawan/-

U		T	
---	--	---	--

