

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57833 of 2019

Arising Out of PS. Case No.-85 Year-2019 Thana- SONO District- Jamui

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UMESH YADAV S/o Bhola Yadav R/o Village- Telwajan, P.S.- Sono,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Sono P.S. Case No. 85 of 2019, disclosing the offence under Section 7 of the Essential Commodities Act.

The petitioner is owner of a truck carrying 19.80 quintals of rise, which was intercepted by the Block Supply Officer, Sono. On the allegation that the rice was being carried for being sold in black market, the FIR has been registered.

It is the case of the petitioner that no offence under Section 7 of the EC Act can be said to be made out as rice is not a controlled item. It is also his case that in any event there is no allegation that it was within the petitioner's knowledge that his vehicle was being used for any purpose which can be said to be



illegal.

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 SDJM, Jamui in Sono P.S. Case No. 85 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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