

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66913 of 2019**

Arising Out of PS. Case No.-157 Year-2019 Thana- KISHUNPUR District- Supaul

Bechu Sah @ Bechan Kumar Sah son of Parmeshwari Sah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Kishanpur P.S. Case No. 157 of 2019 registered for the offences
punishable under Sections 7 of the Essential Commodities Act.

The petitioner was caught by the villagers with Mazik
Van bearing registration no. BR-50-G 1572 which was being
driven by the petitioner and from the aforesaid vehicle, 7.50
quintal government aided rice and 5 quintal government aided
wheat were recovered.

However, the first information report itself, makes it
clear that petitioner was only driver of the aforesaid vehicle and
the aforesaid vehicle belongs to other person.

Learned counsel appearing for the petitioner submits



that even if, prosecution story assumed to be true, then also, no case under section 7 is made out against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Supaul in Kishanpur P.S. Case No. 157 of 2019. subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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