

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76191 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- CHANDAN District- Banka

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Rupak Kumar Choudhary @ Rupesh Choudhary Son of Abhay Choudhary @
Abhay Kumar Choudhary Resident of Village - and P.S.- Katoriya, Distt –
Banka. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 26-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner has filed the instant application for grant of
anticipatory bail apprehending his arrest in a case registered for
the offence under section 7 of the E.C. Act.

As per the allegation in the FIR, 60 plastic bags
containing 45 kg. each of rice, is alleged to have been taken in
the pick-up van of the petitioner for black-marketing.

It is submitted by learned counsel for the petitioner that
the petitioner has no concern with the said rice. He was just the
owner of the pick-up van which was being used for commercial
purpose for transportation of rice etc. In support of his
contention the petitioner refers to the cash memo brought on
record as Annexure 3 to the application. It is further submitted
that the petitioner has no criminal antecedent.



Having heard learned counsel for the parties and taking into consideration the nature of allegation and that the petitioner has no criminal antecedent, the court is inclined to enlarge the petitioner on bail. The petitioner above named, in the event of his arrest or surrender in the court below within a period of six weeks from today in connection with Chandan P.S. Case No. 30 of 2019 is directed to be enlarged on bail on furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Banka subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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