

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79063 of 2019

Arising Out of PS. Case No.-302 Year-2018 Thana- FATEHPUR District- Gaya

Shiv Shankar Prasad Son of Sukar Prasad Resident of Village - Donaiya, P.S.-
Fatehpur, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act, 2013.

Rice was seized from a truck on which the same was loaded from a different village and the police was informed that the same was lifted from the PDS shop of the petitioner.

Submission is that without verifying the stock of the petitioner, FIR has been lodged and it has not been established whether the rice was of the shop of the petitioner. Moreover, the rice is not a control item and offence under Section 7 of the EC Act is not applicable.

Considering the entire facts and circumstances let the



above named petitioner be released on anticipatory bail in the event of his arrest or surrender in the court below within a period of thirty days from the date of receipt of the order, on furnishing bail bond of Rs.20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-X, Gaya in connection with Fatehpur P.S.Case No.302 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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