

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13454 of 2020

Arising Out of PS. Case No.-584 Year-2019 Thana- KISHANGANJ District- Kishanganj

MD. INTEZAAR ALAM @ MD. INTEZAAR @ INTEZAR ALAM, Male,
aged about 32 years, Son of Late Lal Miyan, Resident of Village - Chakla
Ghat, Ward No. 7, P.S.- Kishanganj, District - Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Bajarangi Lal, Advocate.

For the Opposite Party : Mr.Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

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

The prosecution story, in brief, is that 07.12.2019,
when the informant being the Block Inspector, on complaint,
inspected the godown of PACS Bhawan, Chakia, then he found
an Auto having without number loaded with 11 bags of rice and



on the bag, it was written Food Corporation of India. The driver and PACS Manager have fled away from there. The message was conveyed to the S.D.O., Kishanganj. On the direction of S.D.O., Kishanganj, the godown was opened but no any registers and machine was available in the godown. On the Verandah and godown, rice of 12.50 quintals and 1.80 quintals, respectively were found and on the Auto loaded 11 bags of rice were also found which were seized accordingly.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. There is no shortage of the grains in the godown of PACS. The petitioner happens to be the Chairman of the PACS. It is further submitted that the petitioner is ready to deposit an amount of Rs. 50,000/- (Rupees Fifty Thousand) only in the learned court below which shall be subject to result of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed



to deposit an amount of Rs. 50,000/- (Rupees Fifty Thousand) only in the learned court below which shall be subject to result of the case. On doing so, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Chief Judicial Magistrate, Kishanganj, in connection with Kishanganj P.S. Case No. 584 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of nine weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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