

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24353 of 2020

Arising Out of PS. Case No.-71 Year-2020 Thana- GWALPARA District- Madhepura

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UMESH THAKUR @ UMESH KUMAR THAKUR Son of Late Brahmdev
Thakur Resident of Village-Tema-Bhela, Ward No.03, P.S.-Gwalpara,
District-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh
For the Opposite Party/s : Mr. Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-12-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

This application, for grant of anticipatory bail, arises
out of Gwalpara Police Station Case No. 71 of 2020, disclosing
offences under Section 7 of the Essential Commodities Act.

The prosecution case, as per the First Information
Report, is that 50 bags of PDS rice, loaded on a TATA 407 pick-
up van, standing in front of the house of the petitioner, was
seized by the police.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in this case inasmuch as
the informant, being the Block Supply Officer, has not verified



the stock of PDS rice kept in the shop of the petitioner. He further submits that there is no material to show that the seized rice is the part of the stock supplied to the petitioner.

On the other hand, learned Additional Public Prosecutor submits that the witnesses have said that rice was meant for distribution to the beneficiaries under Antyodaya Scheme. However, he submits that there is nothing in the case diary to show that stock verification of the shop of the petitioner was done by the informant.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks from today, 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 Sub Divisional Judicial Magistrate Uda Kishunganj, Madhepura, in connection with Gwalpara Police Station Case No. 71 of 2020, subject to the condition laid down under Section 438 (2) of the Code of



Criminal Procedure.

It is made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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