

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29790 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- MEDNI CHAUKI District- Lakhisarai

Uttam Kumar Gupta @ Uttam Prasad Gupta S/o Babulal Sao Resident of
Village-Sunderpur, P.S.-Dharhara, District-Munger ... Petitioner
Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajnish Chandra, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-12-2020 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor representing the State

through video conferencing.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 7 of the EC Act.

14 quintals of rice was seized from a tempoo of which
the petitioner is the owner. Driver of the petitioner did not
produce papers with respect of rice.

Learned counsel for the petitioner submits that the
petitioner has been made accused merely because he is owner of
the tempoo. It is further submitted that the petitioner was not
aware of the consignment being transported by the driver using
his vehicle. Petitioner has been made accused on the basis of
confessional statement of co-accused/driver of the vehicle
Dinesh Yadav. Petitioner has got no criminal antecedent.



In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Lakhisarai in Medni Chowki Police Station Case No. 28 of 2020, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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