

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69645 of 2019**

Arising Out of PS. Case No.-57 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. Bhola Yadav, Son of Chundhun Yadav, Resident of Village - Khangah, P.S.- Shambhuganj, Distt.- Banka.
2. Pappu Sah @ Pampu Sah, Son of Bhusi Sah Resident of Village - Khangah, P.S.- Shambhuganj, Distt.- Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri- Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary- A.P.P.

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

6 26-06-2020 Heard learned counsel appearing for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners apprehend their arrest in connection with Shambhuganj P. S. Case No.57 of 2019 registered for the offences punishable under Section 7 of the Essential Commodities Act.

Petitioner no.1 happens to be driver and petitioner no.2 happens to be Khalasi of the truck bearing registration No.BR-10G-6510, from which in huge quantity of rice was recovered. The informant claimed that the aforesaid seized rice belonged to Food Corporation of India.



Learned counsel appearing for the petitioners submits that as a matter of fact, the owner of the concerned truck asked the petitioners to take the seized rice to its destination and the petitioners do not have any concern with the seized rice. It is further pointed out by him that the owner of the truck has already been granted privilege of anticipatory bail by a Coordinate Bench of this Court.

Considering the aforesaid facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioners, in the event of their arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Shambhuganj P. S. Case No.57 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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