

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83277 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- PIPRIYA District- Lakhisarai

ASHOK SAO Son of Late Makhan Sao Resident of Village - Karari Pipariya,
P.S.- Pipariya, District- Lakhisarai

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Pipariya P.S. Case No. 74 of 2019 registered under Sections 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that petitioner is not a PDS Dealer and the rice and wheat allegedly recovered from the possession of the petitioner were purchased by him from open market, the petitioner has got no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case wherein it is submitted that petitioner is not a PDS Dealer and the rice and wheat allegedly recovered from the possession of the petitioner were purchased by him from open market and that till now there is no material to show



that those were government subsidized rice and wheat, the petitioner having no criminal antecedent, let the above-named petitioner, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Lakhisarai, in connection with Pipariya P.S. Case No. 74 of 2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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