

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27352 of 2020

Arising Out of PS. Case No.-430 Year-2019 Thana- MOTIPUR District- Muzaffarpur

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UMESH RAY @ UMESH KUMAR RAY Son of Jiya Lal Ray Resident of
Village- Sundar Sarai, Ward No.5, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Opposite Party/s : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 13-01-2021 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Motipur P.S. Case No. 430 of 2019, registered under section 420 of the Indian Penal Code and section 7 of Essential Commodities Act.

As per allegation in the FIR, a truck loaded with 16 quintals of rice and 1.5 quintals of wheat was caught and it is stated that the driver of the said vehicle disclosed that he was carrying the said food grains from the fair price shop dealer Lal Babu Ram and it was for delivery to the petitioner herein.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that except



for a confessional statement of the driver made before the police, there is no other material to connect the petitioner with the alleged offence. The grains was of the fair price shop belonging to Lal Babu Ram and was caught with the driver Ravindra Kumar. No role has been assigned to the petitioner in the entire transaction. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of six weeks from today and in the event of his arrest or surrender in connection with Motipur P.S. Case no. 430 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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