

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35654 of 2020

Arising Out of PS. Case No.-134 Year-2020 Thana- NOORSARAI District- Nalanda

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Sunil Kumar, S/o Onkar Yadav, Resident of Village-Ajaypur, P.S.-Noorsarai,
District-Nalanda ... Petitioner

Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr. Surendra Kumar, Adv.

For the Opposite Party : Mr. Shantanu Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 16-04-2021 As prayed for, through video conferencing, let the learned counsel for the petitioner remove the defect(s), as pointed out by the office vide it's note, dated 16.12.2020, within four weeks of starting of the Court proceeding in physical mode properly.

Heard the parties through video conferencing.

The petitioner seeks pre-arrest bail in connection with Noorsarai P.S. Case No. 134 of 2020, registered under Section 7 of the Essential Commodities Act.

The accusation is that informant, being the Inspector of Noorsarai Police Station, received information about parking of a tempo, bearing registration no. BR-21P-5889, loaded with eight plastic bags rice in front of the house of Sunil Kumar (petitioner) in village Ajaypur, the informant reached there and saw the tempo parked there loaded with eight plastic sacks, each of 40 Kg rice loaded on it, but, no one claimed about the rice. Thereafter, sacks of rice were handed over to Arvind Kumar Public Distribution System Shop dealer and the tempo was



seized.

Submission is that in fact the petitioner, being the owner of the tempo, loaded the plastic sacks of rice, each of 40 Kg of Vijay Prasad Yadav of village Kathanpura, P.S. Noorsarai, for carrying the same to Bazar Samiti, but, the informant, with ulterior motive, seized the tempo of the petitioner. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Noorsarai P.S. Case No. 134 of 2020 shall be released 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 the Additional Sessions Judge III-cum-Special Judge, Nalanda, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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