

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6211 of 2021

Arising Out of PS. Case No.-189 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. RAHUL KUMAR S/O Ramesh Yadav @ Ramesh Prasad Yadav Resident of village Sultanganj near Bishauni Power House, P.S. Sultanganj, Distt.- Bhagalpur.
2. Amarjeet Kumar Son of Ganesh Prasad Yadav Resident of village Sultanganj near Bishauni Power House, P.S. Sultanganj, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 12-04-2021 Heard Mr. Prabhat Ranjan Singh, learned counsel for the petitioners and Mr. Ajay Kumar Jha, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners seek regular bail in connection with Shambhuganj P.S. Case No. 189 of 2020 registered for the offences punishable under Section(s) 420, 417 of the Indian Penal Code, 1860 and Section 7 of Essential Commodities Act.

The allegation as per the First Information Report lodged by Block Supply Officer, is that a truck standing near the Shambhuganj Petrol Pump was inspected and a total quantity of 334.5 quintals of subsidized government raw rice kept in 672 bags have been recovered. It has further been alleged that upon



verification, the rice was found kept in the bags having marks of Haryana and Punjab government.

Learned counsel for the petitioners submits that petitioner No. 1 is driver of the truck and the petitioner No. 2 is cleaner. Learned counsel further submits that the petitioners have not committed any offence in the manner alleged and they were not aware about the nature of consignment which the petitioners were asked to deliver in a rice mill by the owner of the truck in question. Learned counsel next submits that the petitioners have got no criminal antecedents and they are in custody since 8.7.2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that the petitioners are driver and cleaner of the truck and they are in custody since 8.7.2020 having no criminal antecedents and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioners.

Accordingly, let the petitioners, above named, be released on regular 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 Sub Divisional Judicial Magistrate, Banka, in connection with Shambhuganj P.S. Case No. 189 of



2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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