

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2171 of 2021

Arising Out of PS. Case No.-141 Year-2020 Thana- HARSIDHI District- East Champaran

1. VIPIN KUMAR @ BIPIN KUMAR SON OF FAUJDAR SAH @ FAUDAR SAH RESIDENT OF VILLAGE -GHIWADHAR, P.S.-HARSIDDHI, DISTRICT-EAST CHAMPARAN.
2. FAUJDAR SAH @ FAUDAR SAH S/O JAGARNATH SAH RESIDENT OF VILLAGE -GHIWADHAR, P.S.-HARSIDDHI, DISTRICT-EAST CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-11-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Harsiddhi P.S. Case no. 141 of 2020 (G.R. No. 2832 of 2020) instituted for the offence under Sections 188, 269, 270, 271, 409/34 of the Indian Penal Code, section 3 of Epidemic Disease Act, Sections 51 and 53 of the Disaster Management Act and Section 7 of the Essential Commodities Act.

As per allegation in the FIR, petitioner no. 1 was carrying three bags of rice weighing 1.20 quintals for black marketing and petitioner no. 2 was accompanying him.

Learned counsel appearing on behalf of the petitioners



has submitted that petitioners are innocent and has falsely been implicated in this case. A recovery of 1.20 quintal of rice has been made, which is a meagre amount. Specific allegation of black marketing is against P.D.S. dealer Ram Niranjana Mishra, who has already been granted anticipatory bail by another co-ordinate Bench of this Court passed in Cr. Misc. No. 36342 of 2020. The case of the petitioners stand on better footings to that of the co-accused.

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 petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Harsiddhi P.S. Case no. 141 of 2020 (G.R. No. 2832 of 2020), they 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 Chief Judicial Magistrate, Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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