

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3690 of 2021

Arising Out of PS. Case No.-348 Year-2019 Thana- DINARA District- Rohtas

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Sheoji Singh Son of Harishankar Yadav Resident of Village - Bishnupura
Baraon, P.S.- Nokha, District – Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay- Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-09-2021 Heard Mr. Ravi Shankar Sahay, the learned

Advocate for the petitioner and Mr. Nitya Nand Tiwary, the

learned APP for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Dinara P. S. Case No.348 of 2019,
instituted for the offences under Section 7 of the E. C. Act.

20 quintals of rice kept in F.C.I. bags was found
loaded on a tractor in a market place. A seizure was made
by the Block Supply Officer and thereafter on inquiry, it
was found that it was the food-grains of the PDS shop of
one Gulab Chand Sah.

The petitioner has been made accused in this case
because he is the owner of the said vehicle.

The learned Advocate for the petitioner has



submitted that assuming every accusation in the F.I.R. to be true, the offence under Section 7 of the E. C. Act cannot be saddled on him. The tractor belonging to the petitioner is a commercial vehicle which can be hired by any person. It may not have been necessary for the driver of the said vehicle to have inquired the reason for transportation of the rice in question. If at all any person is required to be blamed for the same, it is the PDS dealer who was found absconding when an inquiry was being conducted.

Mr. Ravi Shankar Sahay, the learned Advocate for the petitioner has submitted that the aforesaid PDS dealer has been granted anticipatory bail. The driver of the vehicle also has been granted bail.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Dinara



P. S. Case No.348 of 2019, subject to the conditions laid
down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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