

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3110 of 2021

Arising Out of PS. Case No.-451 Year-2020 Thana- LAKHISARAI District- Lakhisarai

1. ARVIND YADAV S/o Arun Yadav Resident of Village- Chananiya, P.O. Alinagar, P.S.- Suryagadha and Distt- Lakhisarai.
2. KRISHNA RANJAN S/o Late Upendra Prasad Sahu Resident of Village- Saidpura P.O. Alinagar, P.s.- Suryagadha and District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 10-12-2021 Heard Mr. N.K. Agarwal, learned Senior
Advocate for the petitioners and Mr. Md. Aslam Ansari,
learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Lakhisarai (Kabaiya) P.S. Case No. 451 of 2020 dated 04.09.2020 instituted for the offences under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The petitioners are the owners of the two vehicles from which rice and other foodgrains were unloaded in the rice mill of one Binod Singh who has been granted bail. The foodgrains which were unloaded from from the vehicles were government property.



Learned counsel for the petitioners has submitted that merely because they are the owners of the said vehicles, they ought not to be prosecuted for the offences under Section 420 IPC and Section 7 of the E.C. Act.

The petitioners as owners would not know that the consignment which was transported on their vehicles was unauthorizedly delivered to another accused person.

Regard being had to the nature of accusation against the petitioners, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 451 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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