

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14593 of 2021

Arising Out of PS. Case No.-213 Year-2019 Thana- BASOPATTI District- Madhubani

=====

SUDHIR YADAV Son of Shushil Rai Resident of Village - Janakpur
Gaurichak, P.S. - Gaurichak, District - Patna, Pin Code - 803206 (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr. APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 04-01-2022 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Basopatti P.S. Case No. 213 of

2019 instituted for the offence under Section 414 of the

Indian Penal Code and Section 7 of the Essential

Commodities Act.

He is said to be the owner of a vehicle from where

1250 Kgs of black pepper has been recovered.



The learned counsel for the petitioners has submitted that the accusation under Section 414 of the I.P.C. or under Section 7 of the E.C. Act is absolutely unwarranted as black pepper is not a controlled commodity and there is nothing on record to indicate that the vehicle or the black pepper were stolen property. The learned counsel for the petitioner has further submitted that while considering the bail application of the driver and the cleaner of the vehicle in question, it was found that the said black pepper had been purchased.

Be that as it may, since there is no accusation of taking away or misappropriating any controlled substance and there being nothing on record to hold that the vehicle in question is a stolen property, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,



Madhubani, in connection with Basopatti P.S. Case No. 213
of 2019, subject to the condition laid down under Section
438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

