

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69420 of 2021**

Arising Out of PS. Case No.-326 Year-2021 Thana- DARBHANGA SADAR District-
Darbhanga

=====

Harishankar Mahto Son of Ram Pavitra Mahto @ Ram Pavintra Mahto
Resident of Village - Garhiya Janki Nagar, P.S.- Sonbarsa, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Parmeshwar Mehta

=====

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 06-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 279 of the Indian Penal Code and Section 7 of

the Essential Commodities Act.

There is recovery of 500 bags of rice each

containing 50 kg of the F.C.I from a truck. The driver of

the truck and owner of the rice were arrested from the

place of seizure who disclosed the name of the petitioner

as owner of the alleged truck.



It is submitted by learned counsel for the petitioner that the driver and owner of the rice have been arrested from the spot, hence, the allegation against the petitioner that he is indulged in selling the government rice in black-market appears to be not convincing. Moreover, the petitioner is not the owner of the seized truck, rather one Satyendra Kumar son of Ganesh Mahto is the owner. This facts gets corroborated from para 39 of the case diary. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In the facts and circumstance of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar Mabbi (OP) P.S.



Case No. 326 of 2021, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Shageer/-

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

