

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61017 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- BHAPTIAHI District- Supaul

Vidish @ Videsh Son Of Mahak Singh Resident Of Village- 11 New Defence
Colony Merrut, Ps- Bhawana, Distt- Merrut, Up

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Adv

For the Opposite Party/s : Mr.Parmeshwar Mehta APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Bhaptiyahi PS Case No. 132 of 2022, registered for the offence punishable under Sections 420,406,467 and 468/34 of the Indian Penal Code and Section 7 of the EC Act.

3. 240.41 quintals of rice which is said to be subsidized for public distribution has been found on the truck. The petitioner is stated to the driver of the truck.

4. It is submitted by the petitioner's counsel that the petitioner was only discharging his professional duty as a driver oblivious of the source of the rice which was loaded on the



truck. He has thus been implicated in this case falsely. The police, in fact, did not take him in custody because they had already got sufficient information regarding the consignor and consignee, which is obvious from the FIR itself. Subsequently, one day after the alleged seizure, his name has been incorporated in the FIR. He has no antecedents.

5. Learned APP for the State has opposed the prayer for bail.

6. Considering the rival submissions, nature of allegations and clean antecedents, this Court, for the limited purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for anticipatory bail is allowed.

7. Accordingly, 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 bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM Supaul, in connection with Bhaptiyahi PS Case No. 132 of 2022, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure with following conditions:

(i) That one of the bailors



will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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