

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18214 of 2025

Arising Out of PS. Case No.-307 Year-2024 Thana- BAUNSI District- Banka

- 1 . Basuki Manjhi S/O Motilal Mandal Resident Of Village- Jhapaniya, P.s.- Bounsi, Dist.- Banka
2. Gunjesh Kumar S/O Subash Yadav Resident Of Village- Nayagaon, P.s.- Bounsi, Dist.- Banka

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar , Advocate
Mr. Kamlesh Kumanr Pathak, Advocate
For the Opposite Party/s : Mr. Umeshanand Pandit , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 303 (2) and 317(2) of the BNS and section 7 of the Essential Commodity Act.

3 . As per F.I.R., one vehicle bearing registration No. BR10GC6022 was seized from which 31.50 quintals of rice was recovered and it is alleged that the same was being transported for sale in black market.

4. It is submitted on behalf of the petitioners that petitioner No. 1 is owner and petitioner No. 2 is driver of the



seized truck and they are innocent and has committed no offence as alleged. Petitioners are not PDS dealer and they being owner and driver of seized vehicle were simply performing their duty of transportation and have got no concern with the alleged consignment. Petitioners claim clean antecedent.

5 . Learned counsel for the State oppose the bail petition .

6 Considering the fact that petitioner are not PDS dealer, clean antecedent of these petitioners and other circumstances of the case , in the event of arrest or surrender within eight weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond 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 Banka in connection with Bounsi P.S. Case No. 307 of 2024 , subject to the conditions laid down under section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS) , 2023 .

(Prabhat Kumar Singh, J)

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