

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44519 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- JAHANABAD District- Jehanabad

Darwari Singh S/o Sita Ram Singh R/o Village- Jahidpur, P.S.- Masaurhi,
District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 16-07-2025 Heard Mr. Umesh Kumar, learned counsel for the
petitioner and Mr Jitendra Kumar Singh representing the State.

2. The petitioner apprehends his arrest in connection with Jehanabad P.S. Case No. 217 of 2025 for the offence registered under sections 7 of the Essential Commodities Act, 1955 lodged on 20.03.2025 by the informant, Mukesh Kumar.

3. As per the prosecution story, the informant alleged that upon information, the place near Laxmi Kirana Store was raided where a truck and an auto were found. As they chased the auto, in between, the truck also disappeared. Bags with BSFC stamp were found near Laxmi Kirana Store while some traces of rice was present in the auto which was seized. The driver managed to escape. This led to the FIR.

4. Learned counsel for the petitioner submits that a



perusal of the FIR would show that neither the truck nor the owner of Laxmi Kirana Store have been implicated, rather only the petitioner who owns the said auto has been picked up. It is not on record that any bag having BSFC seal was recovered from the auto, he has no criminal antecedent and shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though the bags were there near Laxmi Kirana Store, the fact remains that the traces of rice was/were also found in the auto.

6. Considering the submissions of the parties as also taking note of the fact that neither the Laxmi Kirana Store has been questioned nor there is any record about the alleged truck. FIR is there, the petitioner will be facing the trial, he has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Jehanabad P.S. Case No. 217 of 2025 subject



to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

