

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9914 of 2015

Arising Out of PS.Case No. -113 Year- 2014 Thana -NIMCHAKBATHANI District- GAYA

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1. Golden Miyan Son of Md. Alim, resident of village- Sarauji, P.S.-
Neemchak Bathani, District- Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 06-05-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Neemchak Bathani Police Station Case No. 113 of 2014 registered
for the offences punishable under Sections 353 of the Indian Penal
Code and section 7 of the E.C.Act.

In huge quantity of wheat kept in bags, 14 registers and
near about 3000 empty bags having brand mark of Bihar State
Food Corporation were recovered from the go-down of the
petitioner. The seized registers were sent by the trial court before
this Court as per direction of this Court.

The contention on behalf of the petitioner is that there is
no control order for storage of wheat and the bags containing

brand mark of Bihar State Food Corporation are available in open market. So far as, seized registers are concerned, it is not clear from the aforesaid registers that the seized wheat belongs to P.D.S. dealers.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Gaya in Neemchak Bathani Police Station Case No. 113 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C.

The seized registers be returne to the trial court immediately.

(Hemant Kumar Srivastava, J)

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