

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.964 of 2015

Arising Out of PS.Case No. -661 Year- 2013 Thana -GAYA MUFFSIL District- GAYA

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1. Satrodhan Prasad @ Satrudhan Prasad Son of Shri Narayan Prasad
Resident of Moh. - Purani Godown, P.S. - Kotwali, Distt. - Gaya.
 2. Sunil Kumar Son of Shri Rambrichh Sah Resident of Moh. - Purani
Godown, P.S. - Kotwali, Distt. - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-05-2015 The petitioner no. 2 is apprehending his arrest in connection with Muffasil P.S. Case No. 661 of 2013 for the offence under Section 7 of the Essential Commodities Act.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that a raid was conducted by the Block Supply Officer, Manpur with the police personnel in the house of petitioner no. 2 and 475 quintals wheat were seized with F.C.I. marka on the bags.

It is submitted on behalf of the petitioner that the petitioner no. 2 is a proprietor and he is bona fide purchaser of the wheat, which is being alleged to have been seized from the possession of the petitioner. In respect to the same, the attention of the Court has been drawn to Annexure-2 series.

Further it has been submitted on behalf of the petitioner that merely that the wheats are in the bags which has a mark of F.C.I.. It cannot be presumed that the same belongs to the Food Corporation of India and in respect to the same my attention has been drawn to Annexure-3 that is the different orders of the High Court. Further, it has been submitted that the petitioner no. 2 has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner no. 2, in the event of his arrest or surrender in the court below within a period of four weeks, 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 learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 661 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sudhir Singh, J)

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