

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29758 of 2014

Arising Out of PS.Case No. -30 Year- 2014 Thana -GOPALGANJ CITY District- GOPALGANJ

1. Vijay Kumar Sah @ Chotelal Prasad, S/o Sri Gurucharan Sah, Resident of Village-Sangarampur, P.S.-Tarwara, District-Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.
Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, Adv.

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 15-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner, apprehending his arrest in connection with Gopalganj P.S. Case No. 30 of 2014 registered for the offences punishable under Section 7 of the Essential Commodities Act, seeks the privilege of pre-arrest bail.

It is alleged that 39 bags of wheat each containing 50 Kg. in gunny bags, having mark of Bihar State Food Corporation and 591 bags of rice, each containing 50 Kgs., Electronic weighing machine and some empty bags having mark of B.S.F.C. were found stored in godown of the petitioner and accordingly seizure list was prepared.

It is submitted by learned counsel for the petitioner that only because of the F.C.I. stamps on the bags, suspicion has been raised. The petitioner is a regular dealer in grain and the trade of rice has become de-licensed from the year 2002 and the bags, having F.C.I. marks or B.S.F.C. are available in the open market after sale by the dealer.

Be that as it may, the petitioner in the event of his arrest or surrender within two months from the date of receipt/production of the copy of this order is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj P.S. Case No. 30 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J.)

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