

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35713 of 2015

Arising Out of PS.Case No. -133 Year- 2015 Thana -RANIGANJ District- ARRARIA

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1. Md. Jalaluddin son of Md. Usman Mian, resident of Village- Hassanpur,
Ward No. 3, P.S.- Raniganj, Distt.- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 7 of the E.C. Act.

It is alleged that 149 bags of rice of 50 Kg. each were
recovered from the house of the petitioner.

It is submitted by the learned counsel for the petitioner
that as per the FIR the petitioner was not present in the house and
the wife of the petitioner conveyed that the petitioner was away in
connection with the treatment of his child but despite the protest of
the wife of the petitioner Lallan Bhagat and Niranjana Mandal
stored the alleged rice in the house of the petitioner. More over,
even assuming the recovery, no offence under section 7 E.C. Act
is made out as it does not reflect that there was any violation of the

provisions of section 7 E.C. Act.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Araria in connection with Raniganj P.S. Case No.133 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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