

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36460 of 2015

Arising Out of PS.Case No. -61 Year- 2015 Thana -BARUN District- AURANGABAD

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Pramod Kumar, Son of Om Prakash Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumeet Kumar Singh, Advocate

For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 406 and 420 of the Indian Penal Code.

480 bags of rice having sticker of M/s Maa Vaishnavi Rice Mill and emblem of Bihar State Food Corporation were seized on 02.04.2015 from the premises of the petitioner namely, M/s Pramod Modern Mini Rice Mill, Tegra.

It is submitted by learned counsel for the petitioner that for the seizure of 02.04.2015, the FIR was registered on 03.05.2015. Moreover, the District Manager of Bihar State Food Corporation vide memo no.724 dated 06.04.2015 intimated to the Circle Officer, Barun that the seized rice does not belong to any of the go-down of the Bihar State Food Corporation, the same has

been brought on record as annexure-2 to the petition. It is further submitted that even if the contract for milling the paddy was between the Bihar State Food Corporation and M/s Maa Vaishnavi Rice Mill and the M/s Maa Vaishanavi gave the paddy to the petitioner for milling it constitutes no offence.

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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Barun P.S. Case No.61 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Ashwini/-

(Dinesh Kumar Singh, J)

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