

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38772 of 2015

Arising Out of PS.Case No. -74 Year- 2015 Thana -DHANAHHA District-
WESTCHAMPARAN(BETTIAH)

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1. Raghunath Prasad, S/o Late Bangali Sah, resident of Village- Madhubani,
P.S.- Dhanaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 29-09-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under Section
7 of the Essential Commodities Act.

The prosecution case is that in the house of
Raghunath Prasad one quintal of rice packed in three
bags and 35 liters K-oil were seized. During inspection,
the petitioner was not found present and it was found that
105 liters K-oil were not distributed.

It is submitted by the learned counsel for the
petitioner that only on suspicion the accusation has been
levelled. On verification of the stock, the F.I.R. was lodged but it
does not reflect that the seized rice and k-oil were taken away

from the P.D.S. shop of the petitioner. The petitioner is running P.D.S. shop since 2007. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. Moreover, there is nothing on record to suggest that the proper stock verification of the petitioner's P.D.S. shop was made.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Dhanaha P.S. Case No. 74 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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