

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39425 of 2015

Arising out of PS.Case No. -108 Year- 2015 Thana -PARSA District- SARAN

Subodh Singh, son of Kameshwar Singh, resident of Village- Mirjapur,
P.S.- Parsa, Distt- Saran Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Mukesh Kumar Singh, Advocate.

For the Opposite Party : Mr. Shyam Bihari Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-09-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is apprehending his arrest in connection with
Parsa P.S. Case No. 108 of 2015 for the offences instituted under
Section 7 of the E.C. Act.

The prosecution story, in brief, is that acting on a tip off
a pick-up Van loaded with 20 packets wheat containing 50 KG.
each and 37 bags rice of S.F.C. was caught and the driver was
apprehended who disclosed that the said grain was loaded from
Subodh Singh, son of Kameshwar Singh who runs PDS shop.
Thereafter, PDS shop of Kameshwar Singh was raided which was
found closed and no paper was produced by any member of his
family.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. It is further submitted that the petitioner has been made accused in the present case due to mistake of fact. The petitioner is not the PDS dealer. It is further submitted that the petitioner is ready to deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 10,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Parsa P.S. Case No. 108/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)