

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44911 of 2015**

Arising Out of PS.Case No. -439 Year- 2015 Thana -MUFFASIL District-  
WESTCHAMPARAN(BETTIAH)

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Alok Kumar, son of Raj Kishore Prasad

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Advocate  
Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-II(App)

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

ORAL ORDER

3 02-11-2015

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 Essential Commodities Act.

It is alleged that from the premises of Flour Mill of the petitioner 30 quintals of wheat, suspected to be of the FCI supply, were recovered.

It is submitted by learned Sr. Counsel for the petitioner that there is nothing on record to suggest that the wheat seized from the premises of the petitioner was of FCI's supply. The impugned order also does not suggest that any shortage of wheat in FCI go-down has been found. Even assuming the accusation, no offence under section 7 of the Essential Commodities Act is made

out. Moreover, statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

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 SDJM, West Champaran, Bettiah in connection with Bettiah Muffasil P.S. Case No.439 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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