

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49515 of 2014

Arising Out of PS.Case No. -249 Year- 2014 Thana -SIMRI BAKHTIARPUR District- SAHARSA

Mithilesh Yadav S/O Sri Brahm Deo Yadav Resident of Village-Baidi
P.S-Bakhtiyarpur Distt.-Saharsha

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratan Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 14-05-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Bakhtiyarpur P.S. Case No. 249 of 2014 registered for the
offences punishable under Sections 406 and 409 of the Indian
Penal Code and Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case, as the seized
bags of wheat were not of the PDS supply but, in fact, the seized
bags of wheat had been obtained by the petitioner from the local
market from farmers. It is further submitted that farmers do not
stitch the bags by machine rather it is stitched manually. It is
further submitted that whatever has been seized, had not been

drawn from the godown of F.C.I. and the grains released from the F.C.I. godown have been found to be present in the Stock Register in his godown and therefore, no case is made out against him in the aforementioned Sections.

Considering the aforesaid submissions and the nature of allegation, let the petitioner, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Bakhtiyarpur P.S. Case No. 249 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J.)

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