

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33767 of 2015

Arising Out of PS.Case No. -101 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Lalan Dwivedi, Son of Roop Narayan Dwivedi, resident of village-
Patahi, P.S. Patahi, at District- East Champaran (Motihari).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv. &
Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. S.Dayal(App)

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

2 31-08-2015

Heard learned counsel for the petitioner and the
State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 409, 421,
465, 466, 467, 468, 471, 477A, 486, 487, 120B of the Indian
Penal Code, 7 of the Essential Commodities Act and 39, 192,
192(3), 196, 123, 124, 125 of the Motor Vehicle Act.

The prosecution case as per the written report of
the Block Development Officer-cum-Block Supply Officer,
Patahi, East Champaran dated 22.06.2015 is that on
21.06.2015 a tractor was intercepted loaded with 100 Bags (50
quintals of Rice) without any valid papers. On disclosure of the
tractor's driver 300 bags of rice was recovered from Praduman
Singh. On inspection of State Food Corporation godown 1165

bags rice were found excess. It was suspected that the rice were stored and being carried at the behest of the petitioner being a P.D.S. dealer.

It is submitted by the learned counsel for the petitioner that neither the petitioner is connected with the tractor in question nor he was in-charge of the F.C.I. godown and the police inspected P.D.S. shop of the petitioner, but no irregularity were found. Hence, even assuming the accusation, no offence is made out against the petitioner. The petitioner is P.D.S. dealer since 2007. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

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 Sub-Divisional Judicial Magistrate, Sikarahana, East Champaran at Motihari in connection with Patahi P.S. Case No. 101 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

P.K./-

(Dinesh Kumar Singh, J)

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