

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48910 of 2014

Arising Out of PS.Case No. -103 Year- 2014 Thana -GURUA District- GAYA

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1. Gopal Prasad Singh S/o Bameshwar Singh R/o Village - Bheria, P.O. -
Phulwariya, Phaheri, P.S. Gurua, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Kr. Ranjit Ranjan(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

2 30-04-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Gurua P.S. Case No. 103 of 2014 registered for the offences
punishable under Section 7 of the Essential Commodities Act.

Allegation is that the petitioner being PDS dealer
was trying to sell 31 bags of rice in black market and for that Maxi
in running condition was waiting there but seeing the informant,
the driver fled away with Maxi and the petitioner did not turn up.

Submission is of false implication and that nothing
has been recovered from the shop of the petitioner rather the rice
kept in 31 bags were on the road, the bags having mark of FCI
does not make out a case against the petitioner as the bags are

easily available in the open market and the said bags are not of petitioner rather one Ajeet Kumar Singh who has filed petition for its release in the court below and those bags containing rice have been released in favour of Ajeet Kumar Singh, as such, the petitioner deserves sympathetic consideration to which the learned APP opposes.

In the facts and circumstances stated above and considering that the seized bags containing rice have been claimed by Ajeet Kumar Singh, the petitioner above named, in case of his surrender or arrest within two months from the date of receipt/production of a copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Gurua P.S. Case No. 103 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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