

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33629 of 2015

Arising Out of PS.Case No. -175 Year- 2014 Thana -TARAIYA District- SARAN

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Ajay Kumar Singh, Son of Late Kameshwar Singh, Resident of Village-
Mahuli, P.S.- Taraiya, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Narendra Kumar, Advocate.

For the Opposite Party : Mr. Mustaque Alam (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 02-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

The informant inspected the shop of the petitioner and one Majrul Hassan on 28.11.2014 found that the petitioner was not present on his shop. The son of the petitioner was present and the shop was locked. It is alleged that the petitioner lifted foodgrains for the month of October 2014, but no foodgrains was found inside the shop.

It is submitted that inspection was made on 28.11.2014, but the informant gave written application on 30.11.2014. The police station of Isuapur also got the written report on 30.11.2014, but registered the case on 04.12.2014. It is further submitted that similarly situated co-accused Majrul Hassan @ Magarul Hassan has already been enlarged on anticipatory bail vide orders passed in Cr. Misc. No. 11954 of 2015 and the case of the petitioner stands on similar footing.

Considering the facts aforesaid and the fact that similarly situated co-accused has already been enlarged on anticipatory bail, the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Saran at Chapra in Taraiya P.S. Case No. 175 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Before parting with the order, it is necessary to state that the S.P. Saran shall enquire as to why even after submission of written report on 30.11.2014, the case was registered on 04.12.2014 and if found guilty take necessary action against such police officials with information to this Court. Let a copy of this order be also sent to the S.P. Saran through Fax for needful.

(Prabhat Kumar Jha, J.)

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