

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30922 of 2014

Arising Out of PS.Case No. -24 Year- 2014 Thana -DARIYAPUR District- SARAN

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1. Gauri Sah Son of Late Gang Dayal Sah Resident of village-
Mahmmadpur, P.S.- Dariyapur, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Singh

For the Opposite Party/s : Mr. Hirday Pd. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Dariyapur P.S. Case No. 24 of 2014 registered for the offences
punishable under Sections 414/417 of the Indian Penal Code and
Section 7 of the Essential Commodities Act.

Allegedly, during raid, electronic weighing machine,
47 yellow plastic bag having mark of Tajmahal containing 50 kg.
each rice with hand stitched two bags of SFC containing 50 kg.
and 10 kg Total 29.10 quintals boiled rice, 58 empty bags of SFC
were recovered.

Submission is that there is no control on rice and as
such offence under Section 7 of E.C. Act is not made out, further

the bags of SFC and FCI is being sold in open market as the dealers after selling the articles used to sale the empty bags in open market, as such the petitioner deserves sympathetic consideration to which the learned APP does not oppose.

In the facts and circumstances stated above, 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, Saran at Chapra in connection with Dariyapur P.S. Case No. 24 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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