

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47481 of 2014

Arising Out of PS.Case No. -171 Year- 2014 Thana -KUMARKHAND District-
MADHEPURA

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1. Ajay Kumar Jha (Samvedak), Son of Kali Kant Jha, R/o- Shivpuri, Ward
No. 09, P.S.- Araria, Dist- Araria

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Mandal

For the Opposite Party : Mr. Lalan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 25-06-2015 Heard both sides.

The petitioner apprehending his arrest in connection
with Kumarkhand P.S. case no. 171 of 2014 registered under
Section 7 of the Essential commodities Act.

The petitioner herein is the agent/contractor for
loading and unloading of the rice to be utilized by different
schools under the M.D.M. scheme. The informant being the
Block Supply Officer found tractor/trailer loaded with 60
quintals of rice which was allegedly for the purpose of sale in
the black market. The said tractor was following the petitioner.
The allegation, therefore, is that the petitioner indulged in black
marketing of government subsidized rice.

Contention of the petitioner is that 65 quintals of the rice were delivered to him by the manager of the go-down and immediately thereafter the same were delivered to different schools under receipt vide Annexure-2. The seizure of the rice is not in dispute. The learned Sessions Judge on going through different paragraphs of the case diary has expressed surprise as to how within an hour of the loading of the rice the same were delivered at different schools and thereafter 60 quintals was remained which was being transported by the petitioner. A serious doubt , therefore, has been raised on the contention of the petitioner.

Considering the sharp inconsistency, I am not inclined to privilege the petitioner with anticipatory bail. Prayer for bail is rejected.

(Kishore Kumar Mandal, J)

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