

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30907 of 2015

Arising out of PS.Case No. -34 Year- 2015 Thana -DHURAIYA District- BANKA

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Mahesh Yadav, Son of Late Bangali Yadav, (Dealer of Fare Price Shop),
Licence No. 25/12, at village - Khaira, P.S. Dhoriya, District – Banka.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subhash Kumar Jha, Advocate.

For the Opposite Party : Mr. Sunil Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-07-2015 The petitioner is apprehending his arrest in connection with

Dhoraiya P.S. Case No. 34 of 2015 for the offences instituted

under Section 7 of the E.C. Act.

Heard learned counsel for the petitioner and learned

counsel for the State.

It is alleged that 12 bags of wheat and 08 bags of rice

being carried on JUGAR vehicle were seized.

It has been submitted on behalf of the petitioner that the

petitioner has been made accused in the present case due to

mistake of fact. The only allegation is that the certain food grains

were found by the side of the road and it was presumed that the

same was being black marketed by the petitioner as he happens to

be a P.D.S. dealer. There is no cogent material to suggest that the

said food grains were in any manner concerned with the petitioner.

It has also been alleged that there was some short supply to the beneficiaries of the P.D. S. In respect to the same it has been submitted that there was no short supply made to the beneficiaries as the full quota for the said month itself was not supplied to the petitioner.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Dhoraiya P.S. Case No. 34 of 2015 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Banka, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)