

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56500 of 2015

Arising Out of PS.Case No. -155 Year- 2014 Thana -SANGRAMPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Udayanand Upadhyay @ Dealer Udayanand Upadhyay S/o late Durga Upadhyay of Village- Ijara, Upadhyay,Tola P.s Sangrampur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar, Advocate

For the Opposite Party/s : Mr. Smt. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-12-2015 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406/34 of the Indian Penal Code and 7 of the Essential Commodities Act.

It is alleged that petitioner being a P.D.S. dealer was transporting wheat in 42 bags from a pickup van. When the van was intercepted at the behest of Panchayat Samiti Member Butai Yadav, on the complaint by the consumers that in the month of July, 2014 the informant failed to distribute the grains.

It is submitted by the learned counsel for the petitioner that that maliciously the accusation has been

levelled against the petitioners. Though the Inspecting team inspected the stock and found no irregularities.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for three months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar at Motihari, East Champaran, in connection with Sangrampur P.S. Case No. 155 of 2014, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

The provision bail of the petitioner will be confirmed by the learned court below, if it is found that the stock of the petitioner was found in order and he distributed the grains to the consumers in July, 2014.

(Dinesh Kumar Singh, J)

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