

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38286 of 2014

Arising Out of PS.Case No. -59 Year- 2014 Thana -MURLIGANJ District- MADHEPURA

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1. Ram Chandra Das S/o Late Sadho Das resident of village- Belodih,
Police Station- Murliganj, District- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Anuj Kr.Srivastava(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 22-05-2015

Heard Mr. Vivekanand Singh for the petitioner and

Mr. Anuj Kumar Srivastava, APP for the State.

Petitioner is a P.D.S. Dealer. The Block Supply Officer lodged a case vide Murliganj P.S. Case No. 59 of 2014 instituted under Sections 419, 420 and 147 of the Indian Penal Code and Section 7 of the E.C. Act alleging that one trailer loaded with wheat meant for distribution among the eligible citizens as per the government policy decision was found at the embankment. On query, it came to light that the same was to be delivered to the petitioner.

Counsel for the petitioner states that even in the concluding lines of the F.I.R., it has been indicated that the action against the petitioner shall be taken upon verification of his shop. Still, he was named in the F.I.R.. Subsequently, on the following

day, the Block Supply Officer inspected the shop of the petitioner and upon verification of the records did not find in abrasion. The petitioner is dealing in this business last several years and aged about 73 years.

Regard being had to above, in the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in Murliganj P.S. Case No. 59 of 2014 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(I) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

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