

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26680 of 2015

Arising out of PS.Case No. -210 Year- 2015 Thana -SAHARSA District- SAHARSA

Rajesh Gupta @ Rajesh Sah

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Rakesh Singh, Advocate.

For the Opposite Party : Mr. Mukesh Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 20-07-2015 The petitioner is apprehending his arrest in connection with Saharsa P.S. Case No. 210 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.

The prosecution story, in brief, is that on getting information the informant alongwith S.D.P.O., Saharsa, went to M/S. Captain Grain Bhandar belonged to Md. Rustam and Md. Kaushar situated at Subedari Tola, Ward No. 39, Saharsa and made a raid and found huge quantity of food grain kept in the bags of F.C.I. which was seized as per seizure list prepared at the P.O. in presence of independent witness in which involvement of accused petitioners named in the F.I.R. has been found.

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. It is further submitted that the petitioner has got no criminal antecedent. Further it is submitted that there is no recovery made from possession of the petitioner. In fact, the main allegation is against Rustam and Md. Kaushar from whose possession food grains are said to have been recovered.

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 Saharsa P.S. Case No. 210 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 S.D.J.M., Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)