

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25223 of 2016

Arising Out of PS.Case No. -163 Year- 2016 Thana -SUPAUL District- SUPAUL

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Sri Ram Lakhan Sah @ Ram Lakhan Sah, Son of Late Bhia Lal Sah,
resident of Supaul Ward No. 26, Police Station & District-Supaul.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate

For the Opposite Party : Mr. Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-08-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody in connection with Supaul
P.S.Case No.163 of 2016 registered for an offence under Section 7
of the Essential Commodities Act.

As per the prosecution case, it is alleged by the
informant that the informant being the Block Supply Officer and
on raid, the informant apprehended the petitioner with black
marketing of kerosene oil and recovered kerosene oil behind
Chandra Takiz.

Learned counsel for the petitioner submits that the
petitioner is in custody since 16.03.2016. There is no allegation of
tampering of witnesses alleged against the petitioner. Charge-sheet

has been submitted in the case. Petitioner has been made accused due to mistake of fact. There is no compliance of Section 100 of the Cr.P.C. while making the necessary seizure.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of **CJM, Supaul** in connection with **Supaul P.S.Case No.163 of 2016**.

(Sudhir Singh, J)

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