

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22260 of 2016

Arising Out of PS.Case No. -87 Year- 2014 Thana -CHANPATIA District- WEST
CHAMPARAN(BETTIAH)

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Noorul Hoda, Son of Late Md. Sakoor Mian Resident of Notified Area
Committee, Chanpatiya, P.S. - Chanpatiya, District - West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Amarendra Nath Verma, Advocate

For the Opposite Party : Mr. Nirmala Kumari(APP)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 02-08-2016

Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner is languishing in custody in connection
with Chanpatiya P.S. Case No. 87 of 2014 for the offences
instituted under Section 7 of the Essential Commodities Act.

There is allegation against the petitioner, who is
dealer under Public Distribution System is that huge quantity of
rice, wheat and blue Kerosene oil have been recovered from inside
as well as outside of the godown of the petitioner 90 bags of wheat
each containing 50 Kg. were also recovered from the tractor of the
petitioner. It is also alleged that no any document to support the
aforesaid articles has been shown by the petitioner.

It has been submitted on behalf of the petitioner that
petitioner is in custody since 06.04.2016. Charge sheet has been

submitted in the present case. There is no criminal antecedent against the petitioner. There is no allegation of tampering of the witnesses against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner claims that the recovered food grains and the Kerosene Oil do not belong to him. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- in the court below which shall be subject to the final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, 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 the learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Chanpatiya P.S. Case No. 87 of 2014.

Rajiv/-

(Sudhir Singh, J.)

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