

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25111 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -CHANAN District- BANKA

Vinod Yadav S/o Jiblal Yadav Resident of village - Karadda, Police Station
Katoriya, District - Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Parmanand Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 20-06-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 7 of
the Essential Commodities Act.

The prosecution case is that on 18.05.2015
at 3.10 P.M. the informant being the Block Supply Officer,
Chandan received that a truck loaded with 45 bags of wheat and
68 bags of rice each bag containing 50 kg. was parked in the
godown premises of Sanjana Rice Mill when it was suspected
that the grains of FCI were being transported for black
marketing. The FIR was lodged against the Refilling Incharge,
Truck owner, Driver and owner of Sanjana Rice Mill. The

petitioner was not named in the FIR. Subsequently the name of the petitioner sprang up being a PDS dealer.

It is submitted by learned counsel for the petitioner that without verification of the stock of the petitioner only on suspicion the accusation has been levelled and the investigation has already concluded.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that the seizure has not been made from the petitioner, let the above named petitioner be released on anticipatory bail, in the event of 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Chandan P.S. Case No. 45 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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