

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23634 of 2016

Arising Out of PS.Case No. -142 Year- 2016 Thana -BANKA District- BANKA

1. Navin Prasad Sah Son of Late Ganesh Sah Resident of Mohalla -
Vijaynagar, P.S. Banka, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Anil Prasad Singh (App)

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

5 12-08-2016 Heard learned counsel appearing on behalf of the
petitioner and learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises
out of Banka P.S. Case No. 142 of 2016, disclosing offences under
Sections 420, 467, 468, 471 of the Indian Penal Code and Section
7 of Essential Commodities Act.

As per allegation in the First Information Report, the
petitioner's PDS shop was found closed at the time of raid
conducted by the Block Supply Officer, at the relevant point of
time when the shop was supposed to be open. It has been alleged
that the wife of the petitioner did not hand over the keys of the
shop, on the ground that the keys were not with her. It is also

alleged that settled persons were present near the shop who disclosed that the petitioner was indulged in black marketing.

Learned counsel for the petitioner has submitted that everything was done behind his back. It is also submitted that his licence to run PDS has already been cancelled. It is further submitted that in any event, there is no chance that petitioner shall tamper with evidence or plea from the course of investigation.

Considering the above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest/surrender before the court below within six weeks from today, 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 C.J.M., Banka, P.S. Case No. 142 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutives occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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