

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6293 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -HUSAINGANJ District- SIWAN

Gopal Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

For the Opposite Party/s : Mr. Zainul Abedin (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 420/34 of the Indian Penal Code and 7 of the Essential Commodities Act.

From the go-down situated in the premises of the petitioner, 95 quintals of rice in 190 bags and 85 empty bags and from a pick up van 52.50 quintals wheat were seized. The driver cum owner of the pick up van was Sunil Kumar.

It is submitted by learned counsel for the petitioner that the FIR itself reflects that prior to the lodging of the FIR, the enquiry was made and the enquiry report reflected that the go-down in question was taken on rent by one Manish and he used to do black marketing of the grains of the FCI in league with co-accused Sunil Kumar, hence as per the own admission of the

informant recorded in the FIR no offence is made out against the petitioner. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Siwan in connection with Hussainganj P.S. Case No. 150 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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