

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10436 of 2016

Arising out of PS.Case No. -144 Year- 2015 Thana -MUSAHRI District- MUZAFFARPUR

Vijay Kumar Sah @ Vijay Kumar, S/o Sri Bineshwar Sah, resident of village - Rohua, P.S. Mushari, District – Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party : Mr. Jitendra Kumar Roy-I(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Mushahari P.S. Case No. 144 of 2015 for the offences instituted under Section 7 of the E.C. Act.

The prosecution story, in brief, is that on secret information, the godown of the petitioner was raided by the Block Supply Officer with the help of S.H.O., Mushahari P.S. and the Circle Officer. Seeing the police, the petitioner fled away from the scene and 82.5 quintal rice and 8 quintal of wheat of the F.C.I. was seized upon which the subsidy is granted by the Government in the public interest.

It has been submitted on behalf of the petitioner that the

petitioner is said to have falsely been implicated in the present case. The alleged recovery is being claimed by the petitioner. The petitioner by profession is a trader in the food grains. He has been made accused in the present case due to mistake of fact. It is further submitted that the petitioner is ready to deposit an amount of Rs. 35,000/- in the court below which shall be subject to 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, the petitioner is directed to deposit an amount of Rs. 35,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Mushahari P.S. Case No. 144/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (East), Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)