

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15104 of 2016

Arising Out of PS.Case No. -450 Year- 2015 Thana -PURNEA SADAR District- PURNIA

1. Dharmendra Chauhan
2. Janardan Prasad Das

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar

For the Opposite Party/s : Mr. Dr. M.K. Gautam (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 420, 467, 504, 506, 34 of the Indian Penal Code and under section 7 of the Essential Commodities Act.

The prosecution case is that the informant, Champa Devi, lodged a written report alleging therein that on 20.11.2015 she along with some other ladies saw that Santosh Kumar Chaurasia, PDS dealer of the village, with the help of 2-3 labourers, was transferring government supply wheat from one bag to another inside his godown. Thereafter, as soon as a pick-up van bearing No. BR-11-S 2159 loaded with 40-45 bags of wheat proceeded, the same was intercepted. Santosh Kumar Chaurasia was found sitting in the van by the side of driver but the driver of

the van escaped from the scene. Santosh Kumar Chaurasia threatened the informant. The informant sent information to the Marketing Officer but he did not come and then she sent her husband and neighbour to police station.

It is submitted by the learned counsel for the petitioners that petitioner No.1 is owner of the vehicle and petitioner No.2 is driver and even assuming the accusation, the thrust of accusation is against the PDS dealer, though, on the same day the Block Supply Officer verified the stock of dealer and found no irregularity.

Considering the thrust of accusation against the PDS dealer, let the above named petitioners 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 bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Purnea in connection with Sadar (Mu) P.S. Case No. 450 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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