

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23126 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -INDUSTRIAL District- BHAGALPUR

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Chandra Shekhar Kumar @ Shekhar Sah son of late Bindeshwari Sah
Resident of Tilkamanjhi Hat Road, PS Tilkamanjhi District Bhagalpur
Wrongly described resident of Anandgarh Colony, PS Tilkamanjhi District
Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ram Sumiran Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 23-05-2016

Heard learned counsels for the petitioner
and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Sections 406,
409, 419, 420, 467, 468, 471, 308, 120B of the Indian Penal
Code and 7 of the Essential Commodities Act.

The prosecution case is that on 02.02.2016
the petitioner's rice mill namely, Mani Raj Rice Mill was raided
for which Bhagalpur Industrial Area P.S. Case No. 11 of 2016



was registered and on east side of the petitioner's mill Aman Rice Mill was situated, the owner of the said rice mill was Subodh Kumar Gupta, the same was raided on 16.02.2016 from where 1990 bags of rice weighing 997.85 quintals of rice were recovered leading to registration of the present case being Bhagalpur Industrial Area P.S. Case No. 18 of 2016. It is alleged against the petitioner that in league with Subodh Kumar Gupta the petitioner stored the rice.

It is submitted by learned counsel for the petitioner that at earlier point of time three cases were registered against the petitioner being Bhagalpur Industrial Area P.S. Case Nos. 11, 14 and 15 of 2016 on recovery of the rice and the petitioner is on bail in those cases. Statement to that effect has been made in paragraph 3 of the petition. Moreover, the rice seized in the present case has been released in favour of Subodh Kumar Gupta in pursuance to the order passed in C.W.J.C. No. 7833 of 2016.

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 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 Additional Chief Judicial Magistrate, IXth, Bhagalpur in connection with Bhagalpur Industrial Area P.S. Case No. 18 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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