

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51972 of 2016

Arising Out of PS.Case No. -222 Year- 2016 Thana -JHAJHA District- JAMUI

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1. Ram Kumar Barnwal @ Raj Kumar Pd. Parnwal, Son of Sitaram Barnwal, resident of Borwa, P.S. Jhajha, District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Md. Arif, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner is languishing in judicial custody since 07.

10. 2016 in connection with Jhajha P. S. Case No. 222 of 2016 registered for the offence punishable under Sections 7 of the Essential Commodities Act.

The prosecution case as lodged by the Block Supply Inspector is that on information the Godown of the petitioner was raided and found Tata 407 parked over there and some rice was kept in Godown containing different quantity of rice.

It has been submitted by the learned counsel for the petitioner that he is innocent and has no criminal history and Section 7 of the E.C. will not be applicable, as he is neither a



P.D.S. dealer nor engaged in distribution of rice in fair price shops. He further submits that rice is de-controlled commodity, as such, no offence is made out under the E. C. Act against him and the allegations are general and omnibus It is further submitted that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Considering the facts and circumstances of the case and submission of the parties, since charge sheet has already been submitted, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S.Case No. 222 of 2016.

(Nilu Agrawal, J)

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