

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53469 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -SARAI District- VAISHALI(HAJIPUR)

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Rajesh Choudhary, S/o Late Rajbanshi Choudhary, Resident of Sarai, P.S.
Sarai, District – Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

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

For the Opposite Party : Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sarai P.S. Case No. 93 of 2016 for the offences instituted
under Section 7 of the E.C. Act.

The prosecution story, in brief, is that the informant on
secret information raided the godown of the petitioner and 608
bags of rice i.e., 304 quintals having mark of F.C.I. was found
stocked in the godown of the petitioner. Likewise 152 bags of
wheat i.e., 76 quintals and some empty gunny bags were also
found in his godown and accordingly, it was suspected that the
petitioner is involved in illegal sale and purchase of government
food grains.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. The food grains which are said to have been recovered from godown of the petitioner have already been released in favour of the petitioner by another co-ordinate Bench of this Court vide C.W.J.C.No. 14407 of 2016.

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, 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 Sarai P.S. Case No. 93/2016 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., XIVth, Vaishali at Hajipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

