

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34400 of 2016

Arising Out of PS.Case No. -99 Year- 2016 Thana -KURSAKANTA District- ARRARIA

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Naresh Ram (mochi) @ Naresh Kumar Mochi Son of late Muneshwar Ram
Resident of Village- Pahunsi Dadha Pipar, Police Station - Kursakanta,
District Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate.

For the Opposite Party/s : Mr. Sri Nityanand Tiwary, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 17-09-2016 I have heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in a case registered
for offences punishable under Section 7 of the Essential
Commodities Act.

The petitioner is a P.D.S Dealer. It is contended that 14
bags of wheat were recovered from a tempo. The tempo Driver
had disclosed that the wheat belongs to the petitioner thereafter,
his wife who was present at the house could not show the stock
register.

It is submitted by the petitioner that except the statement
of the Driver that the wheat belongs to the petitioner, there is no
material against him as nobody has stated that the petitioner was

involved in black-marketing of the wheat and even if it is assumed that he was involved in such matter, there must be one recipient of the black-marketed wheat to whom the petitioner was selling it which is nowhere stated.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail in the event of arrest/surrender before the Court below within a period of six weeks from today in Kursakanta (Kuwari) P.S. Case No. 99 of 2016, on furnishing bail bond of Rs. 10,000/-(Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria subject to the conditions as laid down under Section (2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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