

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51938 of 2016

Arising Out of PS.Case No. -163 Year- 2013 Thana -PARWATTA District- KHAGARIA

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Ajit Kumar Yadav Son of Late Bhola Yadav resident of village - Muradpur,
P.S. Parbatta, District - Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bharat Bhushan

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Parbatta P.S. Case No. 163 of 2013 (G.R. No.1614 of 2013)
for the offence instituted under Section 7 of the E.C. Act.

The allegation against the petitioner is that being a
P.D.S. dealer, he was involved in black marketing of 34 quintal
and 50 Kg of wheat, which was meant for the beneficiaries of
BPL and Antyodaya Yojna.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He has falsely been
implicated in the present case. There is no allegation of tampering
of witnesses alleged against the petitioner. He has been made



accused due to mistake of fact. From perusal of Annexure-2 to the present application, it is evident that the police in course of investigation has submitted final form. Enquiry was also made in respect to the said occurrence, which is evident from perusal of vide Annexure-7 to the present application but no shortage of wheat was found in the godown.

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 anticipatory 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 Parbatta P.S. Case No. 163 of 2013 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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