

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53883 of 2016

Arising Out of PS.Case No. -480 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Dilip Kumar Gupta Son of Rajeshwar Gupta Resident of Village-
Parwaha, Police Station-Forbesganj, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranvijay Singh

For the Opposite Party/s : Mr. Sri Bharat Bhushan,APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 21-12-2016 Heard the Counsel for the petitioner and the APP for the

State.

Petitioner is named accused in Forbesganj P.S. Case No.
480 of 2016 registered under section 7 of the E.C. Act lodged by
the Block Supply Officer and prays for grant of anticipatory bail.

In substance, the allegation is that 47 quintals 500 kg wheat
was found laden on a tractor which was being transported.
Actually, it was the wheat to be distributed amongst the eligible
persons on subsidized rate. The P.D.S. Dealer in the case was
Mukesh Prasad. It is alleged that the petitioner was assisting the
P.D.S. Dealer in transporting the wheat for its sale in black
market.

Contention of the petitioner is that he is the driver of the
vehicle. He did not know that the wheat was to be distributed



through P.D.S. Dealer. His implication is merely on suspicion.

Learned APP, on the other hand, submits that the petitioner, in course of investigation, was found assisting the main accused in black marketing of the wheat which was to be used by supplying through the P.D.S. Dealer.

In my view, it is not a fit case for grant of anticipatory bail. Prayer is refused. Let the petitioner surrender and pray for bail.

(Kishore Kumar Mandal, J)

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