

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.40871 of 2016**

Arising Out of PS.Case No. -263 Year- 2016 Thana -BEGUSARAI MUFFASIL District-  
BEGUSARAI

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1. Chandan Kumar S/o Bashisth Prasad Singh resident of Village- Lalpur  
Sujja, P.S.- Sujja, District- Begusarai.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.  
Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER**

2      23-09-2016                      Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Begusarai Muffasil Police Station Case No. 263  
of 2016, disclosing offences under Sections 420, 467, 468,  
120B of the Indian Penal Code and Section 7 of the  
Essential Commodities Act.

The petitioner is a rice mill owner.

Allegation against the petitioner is that he, after  
purchasing rice from black market, was intending to supply  
the same to the Bihar State Food Corporation for the  
purpose of taking benefit under CMR Scheme.

Learned Senior Counsel, appearing on behalf of



the petitioner, has submitted that accusation against the petitioner of making purchase from the black market for the purpose of supply of the same to the Bihar State Food Corporation in order to take undue advantage under CMR Scheme is a result of his own imagination of the informant. It is his case that the petitioner takes delivery of paddy from different PACS for preparation of CMR which is consequently supplied to the Bihar State Food Corporation. He has submitted that no offence under Sections 420, 467, 468 of the Indian Penal Code or Section 7 of the Essential Commodities Act is made out on the basis of what has been alleged in the First Information Report.

I find substance in the submissions made on behalf of the petitioner.

This application stands allowed accordingly.

Let the petitioner, Chandan Kumar, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Begusarai, in connection with Begusarai Muffasil Police Station Case No. 263 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.



**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-c

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