

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49210 of 2016

Arising Out of PS.Case No. -86 Year- 2016 Thana -BELHAR District- BANKA

Ramawatar Sah, son of late Munshi Sah, resident of village - Srinagar, P.S. Belhar, District - Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner : Mr. Brij Nandad Prasad, Advocate.

For the Opposite Party : Mr. Akbar Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-11-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Belhar P.S. Case No. 86 of 2016(corresponding to G.R. No. 724 of 2016) for the offences instituted under Section 7 of the E.C. Act.

The prosecution story, in brief, is that in course of checking of the shop of the petitioner made by the informant who is a dealer having License No. 35/2012, the shop of the petitioner was found close and he was found indulged in carrying 68 packets of rice for black-marketing with Jai Baba Baidyanath Rice Mill on a Pick-up Van bearing No. BR-46-0195 at about 4.00 A.M. and the said vehicle was caught by the villagers and on information the

said vehicle loaded with rice was seized and sent to Belhar P.S. It is further alleged that on verification of the vehicle-in-question it came to light that Manoj Kumar is the owner of the said Rice Mill and Dasrath Yadav behind the said mill used to purchase the rice from the petitioner for black-marketing.

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 falsely been implicated in the present case. The seizure of 68 bags of rice is not claimed by the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final disposal of the case.

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, it is directed that the petitioner shall deposit an amount of Rs. 20,000/- in the court below which shall be subject to final disposal of the case and on doing so, 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 Belhar P.S. Case No. 86/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each

to the satisfaction of the learned Sub-Judge-III-cum-A.C.J.M.-III,
Banka, subject to the conditions as laid down under Section 438(2)
of the Code of Criminal Procedure.

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(Sudhir Singh, J)

