

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53687 of 2016

Arising Out of PS.Case No. -198 Year- 2014 Thana -KUCHAIKOTE District- GOPALGANJ

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Rajesh Kumar Singh, Son of Srikant Singh, resident of Village- Kurwa
Dilip Nagar, P.S.- Kasaya, District- Kushinagar (Uttar Pradesh).

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anuj Kumar, Advocate

For the Opposite Party : Mr. Aditya Narayan Singh 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Kuchaikot P.S. Case No. 198 of 2014, registered for the
offence punishable under Section 7 of the Essential Commodities
Act.

Allegedly, when the informant and other police
personnel reached at Khajuri, found Pick-up van bearing
registration no. UP57T/6168 standing by the side of the road and
on search 50 bags of nutrient children food were recovered from
the Pick-up van and seized. No one claimed either vehicle or the
nutrient food bags accordingly a seizure list of the vehicle and
recovered articles was prepared and driver and the owner of the



vehicle were made accused.

Submission is of false implication and that the petitioner is the owner of the vehicle in question, he has no concerned with nutrient food, nutrient foods is not banned article in Bihar it was meant for children in the State of Uttar Pradesh and the driver after parking the pick-up van has gone to take breakfast and in the meantime the pick-up van was seized, no offence as alleged is made out against the petitioner, the petitioner has no knowledge about loaded articles on the vehicle and hence the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 S.D.J.M., Gopalganj, in connection with Kuchaikot P.S. Case No. 198 of 2014, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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