

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11206 of 2016

Arising out of PS.Case No. -233 Year- 2015 Thana -RAJNAGAR District- MADHUBANI

Ram Prakash Ram, Son of Kusheshwar Ram, resident of Koilakh, P.S.- Raj Nagar, District- Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Jha, Advocate.

For the Opposite Party : Mr. Veena Kumari Jaiswal (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Raj Nagar P.S. Case No. 233 of 2015, corresponding to G.R. No. 3020/2015 for the offences instituted under Section 7 of the E.C. Act.

The prosecution story, in brief, is that the informant who is Supply Officer of Rajnagar and on dated 13.11.2015 at about 10.30 night he was informed by the husband of the Mukhiya that at the door of petitioner who is dealer of PDS, the controlled subsidized food grains loaded on a pick-up van for the purpose of black marketing and on that information the husband of the Mukhiya was going there at that time on hulla of villagers



Mukhiya's husband checked the pick-up van and asked the driver of loaded articles. On that enquiry, the driver said that he brought the said food grains from the petitioner and the husband of the Mukhiya said to the driver to take away the vehicle to Rajnagar Police Station but the driver run away after locked the vehicle at Ward No. 10. After that Mukhiya's husband given an information to the police officer and after that one police personnel and also a Chaukidar appointed there and on dated 14.11.2015 said pick-up van brought to the police station. And on that vehicle there were 61 bags on which Govt. of India were printed.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner has been made accused due to mistake of fact. 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 Raj Nagar P.S. Case No. 233/2015, G.R. No. 3020/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)