

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17495 of 2016

Arising Out of PS.Case No. -153 Year- 2015 Thana -BAUSI District- PURNIA

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Shankar Prasad Sah son of Puranmal Sah, resident of village- Mala
Panchayet Harintor, P.S.- Baisi in the district of Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Suman Kumari Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 25-04-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 7 of
the E.C. Act.

The prosecution case is that on 12.09.2015
the informant Block Development Officer , Baisi gave written
report to the Officer-in-charge, Baisi police station to the effect
that 19 stiched bags of rice 50 kgs. each total weighing about
9.50 quintals and open 6 bags total weighing 11.50 quintals were
recovered from the house of Md. Muzaffapur Alam. The son of
Md. Muzaffar Alam namely, Sahjjad Raj conveyed to the
informant that the rice was kept by Samsir Alam, tractor driver.
It was also conveyed that the petitioner being the son of PDS

dealer was also with the tractor driver.

It is submitted by learned counsel for the petitioner that neither recovery has been made from the possession of the petitioner when a petitioner is not a PDS dealer and only on statement of son of the person, from whose house alleged rice was recovered, the petitioner has been roped in the present case.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 153 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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