

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21290 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -INDUSTRIAL District- BHAGALPUR

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Sanjay Kumar Sah @ Sanjay Sah, S/o Late Bindeshwari Sah, resident of Tilkamaijhi Hat Road, P.S.- Tilkamanjhi District Bhagalpur, wrongly described resident of Anandgarh Colony, P.S.- Tilkamanjhi, District- Bhagalpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Praveen Kumar, Advocate

For the Opposite Party : Mr. Dashrath Mehta(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 30-06-2016

Heard learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Industrial P.S. case no. 18/2016 for allegedly having committed the offence under Sections 406, 409, 419, 420, 467, 468, 371, 120B I.P.C. and 7 Essential Commodities Act.

Learned counsel for the petitioner submits that the petitioner, the brother of petitioner namely Shekhar Sah and one Subodh Kumar Gupta are involved in this case. The allegation against these petitioners is that on 02.02.2016, the rice mill known as Maniraj rice mill was raided for which Bhagalpur Area P.S. case no. 11 of 2016 was registered. On the eastern side of the said



rice mill, the rice mill known as Aman rice mill is also situated. It is alleged that subsequent to the raids made on the Maniraj rice mill, the rice mill belonging to Subhodh Kumar Gupta was also raided and from the same, 1990 rice bags weighing 997.85 quintals of rice were recovered. As such the present case being Bhagalpur Industrial Area PS case no. 18/2016 was lodged, in which, the petitioner being the brother of Shekhar Sah is facing prosecution along with the said Subodh Kumar Gupta.

Counsel for the petitioner further submits that the aforementioned two persons namely Subhodh Kumar Gupta and Shekhar @ Chandrashekhar have already been extended the privilege of anticipatory bail whereas there being no particular role ascribed to the present petitioner, he is apprehending his arrest. It is further submitted that the petitioner's case stands on a better footing as there is no clear allegation against him and the main accused persons have already been extended the privilege of anticipatory bail in Cr. Misc. nos. 23126 of 2016 and 19531 of 2016 vide orders dated 23.05.2016 and 31.05.2016 respectively.

Considering the aforesaid facts and circumstances, let the petitioner abovenamed, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/ production of a copy of this order, be

released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Industrial IX, Bhagalpur in connection with Industrial P.S. case no. 18 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J.)

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