

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27177 of 2016

Arising Out of PS.Case No. -21 Year- 2016 Thana -KHUDWAN District- AURANGABAD

Santosh Sharma S/o Late Rajendra Sharma R/o village - Khudwan, P.S.
Khudwan, District - Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Jitendra Kumar Roy 1

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-07-2016

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420/34 of the Indian Penal Code and 7 of the Essential Commodities Act.

Thirty three bags of rice was recovered from the Tata Magic which was being driven by co-accused Akhtar Hussain out of which some of them having label of Bihar State Food Corporation when he disclosed that that rice was obtained from the fair price shop of Manish Sharma which was run by this petitioner when it was asked to the driver to produce documents he failed to produce the same. It is also alleged that

when the fair price shop was raided it was found that the fair price shop is a licensed shop of Manish Sharma, who is in custody and the same was run by this petitioner.

It is submitted by learned counsel for the petitioner that only on suspicion the accusation has been levelled. The petitioner is not PDS dealer rather his brother Manish Sharma is PDS dealer. Though, the petitioner is accused in two other cases but he is on bail.

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, Daudnagar in connection with Khudwan P.S. Case No. 21 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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