

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41810 of 2016

Arising Out of PS.Case No. -121 Year- 2016 Thana -MAUZAHDIPUR District- BHAGALPUR

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1. Kameshwar Chaudhary Son of Madan Chaudhary resident of village Rajasan, P.S. Bidupur, District Vaishali.
 2. Santosh Kumar Singh son of Jogendra Singh resident of 13 No. B. T. Road, Kolkata, P.S. Kasipur, District Bairakpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Premchandra Yadav

For the Opposite Party/s : Mr. Anusuiya Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 23-09-2016

Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners apprehend arrest in a case registered for the offences punishable under section 7 of the Essential Commodities Act.

The petitioners are owner and driver of the Pickup Van W.B.11B-0519. The allegation of the prosecution is that the rice which was for public distribution under the public distribution system was being embezzled and loaded on truck that had been sold in black marketing.

Learned counsel for the petitioner draws the attention of the Court to the fact that as per the allegation itself, the petitioners' vehicle was found standing near the premises and

nothing was loaded on the vehicle in question. It was empty.
Therefore, they have been wrongly implicated in the present case.

Be that as it may, the petitioners above named in the event of arrest or surrender in the court below within four weeks from the date of receipt/production of a copy of this order, shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case no. 121 of 2016 subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure, 1973.

(Navaniti Prasad Singh, J)

Amin/-

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