

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50690 of 2016

Arising Out of PS.Case No. -128 Year- 2016 Thana -DURAULI District- SIWAN

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Bharatjee Singh S/o Late Janakdeo Singh Resident of village - Kakariya
Dih, P.S. Darauli, District Siwan

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-11-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Darauli P.S. Case No. 128 of 2016 for the offences instituted
under Sections 7 of the E.C. Act.

The allegation against the petitioner is that he has kept
the food grains in the house of one Shiv Shankar Sah and when
the house of said Shiv Shankar Sah was inspected by the
informant, 15 bags of wheat and 27 bags of rice were found to be
kept there and accordingly seizure list was prepared.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. Since a

repair work was going on in the shop of the petitioner, hence he has kept the food grains in front of the house of his neighbour. The petitioner has been made accused due to mistake of fact.

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, let the petitioner above named be released on anticipatory 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 Darauli P.S. Case No. 128 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri A. Pandey, Judicial Magistrate, Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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