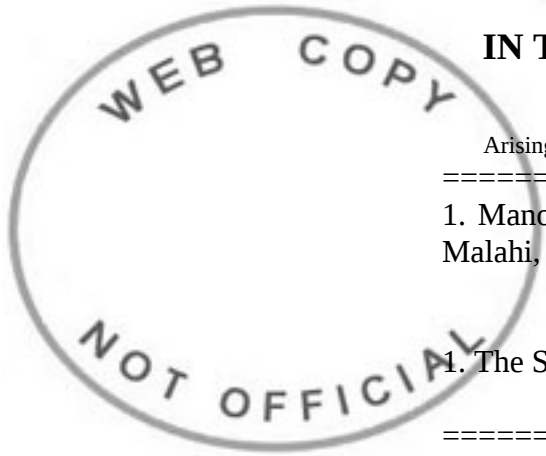




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12847 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -SARAI District- VAISHALI(HAJIPUR)

=====

1. Manoj Kumar Gupta, S/o Late Prithvi Sah, Resident of Village- Akbar Malahi, Sarai Bazar, P.S.- Sarai, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. T.N.Thakur(App)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 17-05-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 7 of the E.C. Act.

Learned counsel for the petitioner submits that he is admittedly the owner of the seized rice and wheat and deals in free sale of food-grains. It is submitted that only on the basis of suspicion that the bags of rice and wheat so seized belong to the Government and was meant for some government scheme, the petitioner has been roped into the present case.

Learned counsel for the petitioner further submits that he is

a business man and is running his business in the name of M/s Om Shanti Bhandar, Hat Road, Sarai, Vaishali and has been filing his In-come Tax return and his accounts are being audited by Chartered Accountant in accordance with the settled procedures. It is also submitted that the rice and wheat so seized has since been released by an order passed by this Court in Cr. Misc. No. 1849 of 2016 vide order dated 09.03.2016.

In view of the aforementioned facts and circumstances and that the entire allegation is based on pure suspicion, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Vaishali at Hajipur in connection with Sarai P.S. Case No. 195/2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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