

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48981 of 2016

Arising Out of PS.Case No. -82 Year- 2016 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Nirmal Sharma @ Nirmal Kumar Sharma Son of Jagdish Sharma
Resident of village - Gaunaha, Police Station Gaunaha, District West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner is apprehending his arrest in a case registered for
offences punishable under Section 7 of the Essential Commodities
Act.

It has been submitted on behalf of the petitioner that
nothing has been recovered from the conscious possession of the
petitioner, he has been implicated in the present case as he is
relation of the M.D.M. Contractor, and he has no concern with the
alleged offence and only on the basis of confession of the accused,
from whom the alleged MDM rice was recovered, the petitioner's
name has been dragged into the present case.



Having heard both sides and in view of the fact that the petitioner has no criminal antecedent and only on the basis of confession of one Laxman Sah, his name transpired in this case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within a period six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Gaunaha P.S. Case No. 82 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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