

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43499 of 2016

Arising Out of PS.Case No. -48 Year- 2016 Thana -KATRAHA District- VAISHALI(HAJIPUR)

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1. Sharmila Singh W/o Kumod Singh Resident of village - Dhanushi, P.S.
Kartaha, District - Vaishali

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Sri Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 29-11-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner, being proprietor of Rice Mill, apprehends

her arrest in connection with Kartaha P.S. Case No. 48 of 2016

registered under Section 7 of the Essential Commodities Act as

also under Sections 419, 420, 120(B)/ 34 of the Indian Penal

Code.

The allegation against the petitioner is that on raid,

huge quantity of rice kept in F.C.I. bags were found from her

rice mill but submission on behalf of the petitioner is that the

rice is free sale item and, moreover, there is an agreement

between the petitioner and the concerned PACS to convert

paddy into rice and as a matter of fact, the seized rice does not



belong either to F.C.I. or any Government agency.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner named above, in the event of her arrest or surrender in the court below within four weeks from the date of receipt / production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Kartaha P.S. Case No. 48 of 2016 to the satisfaction of learned Additional Chief Judicial Magistrate Vth, Vaishali subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Hemant Kumar Srivastava, J)

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