

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39498 of 2016

Arising Out of PS.Case No. -434 Year- 2013 Thana -BAHADURPUR District- DARBHANGA

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1. Devendra Yadav @ Devendar Yadav Son of Ram Chandra Yadav
Resident of village Mohammadpur Ghorghatta, P.S. Bahadurpur (Phekla
O.P), District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

3 29-09-2016

Heard both sides.

The petitioner apprehends his arrest in Bahadurpur
(Phekala O.P.) P.S. case No. 434/2013 under Section 414/34 of the
Indian Penal Code and under Section 7 of the E. C. Act.

A pick-up van bearing registration No. BR06GA-
9676 was intercepted with 41 bags of wheat loaded thereon. It
transpired that petitioner sold 20 bags of wheat to the owner of
pick-up van, Fulo Sah.

The learned counsel for the petitioner submits that
petitioner is a PDS dealer. He never sold any food-grain of PDS to
any person. Neither the informant, the Block Supply Officer, nor
any other authority inspected the shop of the petitioner. No

shortage was found. The petitioner was noticed by the police but he was not apprehended nor any notice was given to the petitioner to appear in the court.

Considering the facts aforesaid and the nature of allegations made against the petitioner and the fact that nothing has been recovered from the possession of the petitioner and no shortage was found in the store of petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Darbhanga in Bahadurpur (Phekala O.P.) P.S. Case No. 434 of 2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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