

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2218 of 2016

Arising Out of PS.Case No. -35 Year- 2015 Thana -BHAPATIYAH I District- SUPAUL

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Ramdhari Mehta son of Late Ramjee Mehta, resident of village - Dahu Patti, Police Station - Bhaptiyahi, District - Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the State : Mr. Ajay Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Bhaptiyahi P.S. Case No. 35 of 2015 registered under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

It is contended that the entire allegations made in the FIR are false. The petitioner had not lifted any food grain for the month of March, 2015 for being distributed to the beneficiaries under different schemes.

On the other hand, learned counsel for the State has contended that during investigation the witnesses examined by the investigating officer have clearly stated that the petitioner lifted

food grains and sold them in black market.

Regard being had to the specific allegation made in the FIR lodged by the Block Supply Officer on the basis of enquiry report of the Sub Divisional Officer, Supaul, regarding non-distribution of food grains to the beneficiaries of the Government's welfare schemes and selling the same in black market, I am not inclined to grant pre-arrest bail to the petitioner, a PDS dealer.

Accordingly, the application for grant of pre-arrest bail to the petitioner is rejected.

In case the petitioner surrenders and seeks bail, the same shall be considered on its own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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