

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15105 of 2016

Arising Out of PS.Case No. -161 Year- 2015 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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Ramesh Kumar S/o of Sri Kamal Sah

.... Petitioner/s

Versus

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. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-04-2016

Heard learned counsels for the petitioner and the State.

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

The prosecution case is that the informant, Block Supply Officer, Pipra Kothi, received a message on 17.12.2015 that in the village Kishunpur Jivdhara a truck is being loaded with government supply rice. On such information, the informant reached to the place of occurrence and saw a truck loaded with 71 bags of rice and 380 bags of rice manually stitched were also found kept in the house. Accordingly, the informant seized 530 bags containing 265 quintals of rice suspecting to be government supply as the bags have emblem of F.C.I.

It is submitted by the learned counsel for the petitioner

that petitioner is not a P.D.S. dealer and the rice was being transported under the valid purchase. It is further submitted that the rice has been released in favour of the petitioner by an order dated 09.03.2016 passed by a coordinate Bench of this court in C.W.J.C. No. 2723 of 2016. A copy of the order dated 09.03.2016 has been produced by learned counsel for the petitioner. Let the same be kept on record.

Considering that rice has been released in favour of the petitioner, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sadar, Motihari in connection with Piprakothi P.S. Case No. 161 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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