

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55492 of 2017

Arising Out of PS. Case No.-39 Year-2017 Thana- KACHHAWA District- Rohtas

Chandra Bhushan Singh @ Chandrabhushan Singh, son of Keshav Prasad Singh, resident of village – Amauna, Police Station – Kachhwa, District – Rohtas at Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Y.C. Verma, Sr. Counsel

Sri Raghunandan Kumar Singh

For the Opposite Party/s : Sri Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-11-2017 Heard Sri Y.C. Verma, learned senior counsel, assisted by Sri Raghunandan Kumar Singh, learned counsel for the petitioner and Sri Shailendra Kumar Singh, learned Additional Public Prosecutor.

The sole petitioner, who is in custody since 16/09/2017 in Kachhwa P.S. Case No. 39 of 2017, registered for the offence under Section 409, 420, 120-B of the Indian Penal Code, 1860 and Section 7 of the Essential Commodities Act, has prayed for grant of bail.

At the very outset, learned senior counsel for the petitioner has drawn my attention to the statement made in paragraph no. 3 of the petition to show that petitioner is having clean antecedent. Besides this, Sri Verma, learned senior counsel, by way of referring to the F.I.R. submits that F.I.R. itself indicates that petitioner was not a P.D.S. Dealer rather one Tejeshwar Nath Upadhyaya was shown to



be P.D.S. Dealer and it was alleged as if petitioner had purchased the seized food grain from accused Tejeshwar Nath Upadhyay for black marketing. By way of referring to the statement made in paragraph no. 14 of the petition, learned senior counsel for the petitioner submits that in the order whereby prayer for bail of the petitioner was rejected, the learned court below has committed error of record and it was stated as if petitioner was P.D.S. Dealer, whereas F.I.R. categorically indicates that P.D.S. Dealer was accused Tejeshwar Nath Upadhyay.

Be that as it may, considering the nature of accusation, clean antecedent of the petitioner and period of custody, let the petitioner Chandra Bhushan Singh @ Chandrabhushan Singh be enlarged 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 Sub Divisional Judicial Magistrate, Bikramganj, Rohtas at Sasaram / concerned court in connection with Kachhwa P.S. Case No. 39 of 2017 .

(Rakesh Kumar, J)

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