

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5376 of 2017**

Arising Out of PS.Case No. -276 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA  
=====

1. Jitendra Sah @ Pappu Sah,  
2. Raj Kumar Sah alias Raju Sah.  
3. Bahadur Sah, All Sons of Narayan Sah, Resident of Village Kakarjan  
P.S. K. Nagar, (Maranga) District- Purnea.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s  
=====

**Appearance :**

For the Petitioner/s : Mr. Ram Prawesh Kumar, Adv.

For the Opposite Party/s : Mr. Sri Ram Naresh Ray, APP  
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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR**  
**ORAL ORDER**

2      06-02-2017                      Heard the learned counsel for the petitioners and the  
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with  
K. Nagar (Maranga) P.S. Case No. 276 of 2016 registered under  
Section 7 of the E.C. Act.

Allegation, in brief, is that 113 bags of rice were seized  
from the tractor which was being transported by these petitioners  
and on all rice bags, there were marks of F.C.I. The tractor driver  
disclosed the names of these petitioners who engaged him for  
transporting the rice.

The learned counsel appearing on behalf of the  
petitioners submits that the petitioners were only suspected on the  
basis of fact that the rice was kept in the bags with marking of  
F.C.I. whereas the fact is that the petitioners are traders and they  
purchased rice from villagers and farmers keep their rice in the  
F.C.I. label bags which were available in the market and the  
petitioners have no criminal antecedent and the tractor driver has



been granted bail by this Court.

Considering the aforesaid facts and circumstances that the rice was not seized from their conscious possession, so in the event of their arrest or surrender in the court below within a period of four weeks from today, let the petitioners, namely Jitendra Sah alias Pappu Sah, Raj Kumar Sah alias Raju Sah and Bahadur Sah, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Purnea in connection with K. Nagar (Maranga) P.S. Case No. 276 of 2016, subject to conditions laid down under Section 438(2) Cr. P.C.

**(Arun Kumar, J)**

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