

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1145 of 2017

Arising Out of PS.Case No. -97 Year- 2016 Thana -MADANPURA District- AURANGABAD

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Jalendra Singh son of Shri Bashist Singh, R/o Vill- Rachhaul, P.S.-
Madanpur, District- Aurangabad

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Smt. Sudha Ambastha

For the Opposite Party/s : Mr. Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Madanpur P.S. Case No. 97 of 2016 for the offences
instituted under Sections 420 of the Indian Penal Code and
Section 7 of the E.C. Act.

The allegation against the petitioner is that the
informant received information that the petitioner had sold the
food grains of PDS at the hands of one Ganesh Sao. Thereafter
the informant went there and found 17 bags of rice were loaded
on a Tata Magic vehicle. Thereafter the informant went to the
house of the petitioner but the petitioner was found in his house,
where the shop runs.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has been made accused due to mistake of fact. The petitioner is said to be a PDS dealer. The food grains recovered is suspected to be for the public distribution. There is no substantive evidence to suggest the implication of the petitioner in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Madanpur P.S. Case No. 97 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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