

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.44007 of 2017**

Arising Out of PS.Case No. -312 Year- 2017 Thana -GAYA KOTWALI District- GAYA

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Mahesh Kumar @ Mahesh Sao, S/o Durgi Sao, Resident of K.P. Road,  
Balaji Market, P.S.- Kotwali, District- Gaya.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party : Mr. Khurshid Anwar (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA**  
**ORAL ORDER**

2      19-09-2017                      Heard learned counsel for the petitioner and learned  
counsel representing the State.

The petitioner apprehends his arrest in connection  
with Kotwali P.S. Case No. 312 of 2017, registered for the  
offences punishable under Section 7 of the E.C. Act and Section  
420/34 of the Indian Penal Code.

Allegedly, 595 liters of blue K. oil kept in three  
drums and plastic jar were recovered from the shop of the  
petitioner and the petitioner succeeded in fleeing away.

Submission is of false implication and that the  
petitioner is not a P.D.S. dealer and, as such, no offence under  
Section 7 of the E.C. Act is made out. The petitioner will face the  
trial and the law will take its course and, as such, the petitioner



deserves sympathetic consideration, to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, considering that the petitioner will face the trial and law will take its course and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail 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. Gaya, in connection with Kotwali P.S. Case No. 312 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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