

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1051 of 2017

Arising Out of PS.Case No. -156 Year- 2016 Thana -IMAMGANJ District- GAYA

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Amar Singh, Son of Late Harihar Singh, resident of Village - Chuawar, P.S.
- Imamganj, District - Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramashish, Advocate

For the Opposite Party : Mr. Ram Bilash Roy Raman (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 08-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Imamganj P.S. Case No. 156 of 2016, registered for the
offence punishable under Section 7 of the Essential Commodities
Act.

Allegedly, pick-up van loaded with 30 bags of *Arwa*
rice stitched with hand, each containing 50 Kgs, total 15 quintals
was seized and the driver Md. Ahmad Ansari stated that it was of
the petitioner who is P.D.S. dealer.

Submission is of false implication and that nothing
has been recovered from conscious possession of the petitioner.
The rice which has been seized, two persons have lodged claim to



release the same and on that petition report has been called for and this falsified the prosecution version that rice was of the shop of the petitioner. There was no sign to show that it was government rice and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that two persons Dev Kumar Prasad and Sunil Saw are claiming the rice as their own by filing release petition in this case 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 Sub-Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Imamganj P.S. Case No. 156 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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