

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61590 of 2017

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

Raju Gupta S/o Late Harilal Gupta, R/o Village- Deo Chanda , P.S.-
Sikarahata, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-12-2017 Heard learned Counsels for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 409, 420, 120B of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Prosecution case as per the Block Supply Officer, Karakat is to the effect that on information being received that wheat and rice from the PDS dealership of Tajeshwarnath Upadhaya is being transported on a tractor, which was intercepted and 100 bags of wheat and 108 bags of rice were seized, which was being purchased by Chandrabhusan Singh for black marketing. The petitioner is the owner of the tractor.

It is submitted by learned counsel for the petitioner



that the thrust of accusation is against the PDS dealer and the purchaser. The petitioner is only the owner of the tractor and he was not aware about the nature of article being transported through the tractor. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Considering the thrust of accusation against PDS dealer and the purchaser, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bikramganj, Rohtas, in connection with Kachhawa P.S. Case No.39 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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