

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9612 of 2017

Arising Out of PS.Case No. -356 Year- 2016 Thana -BARAHARA District- BHOJPUR

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Pawan Sah @ Pawan Kumar Sah, son of Late Prabhu Sah, resident of
Village- Babhangawan, Police Station- Barahara (Krishnagarh), District-
Bhojpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay, Advocate.
For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Barahara
(Krishnagarh) P.S. Case No. 356 of 2016 instituted for the offence
under Section 7 of Essential Commodities Act.

It is alleged that on confidential information, police
raided Baba Gani Nath Bhawan Madhesiya Niwas and found one
pick-up van standing in front of house of Madhesiya Niwas loaded
with wheat. The petitioner was making preparation to get those
wheat unloaded by the labourers. The driver of the pick up van
was apprehended and other labourers fled away. The informant
informed that the said pick up van belongs to one Major Singh.

In this manner mere suspicion has been raised against
the petitioner in the written report. There is no any specific



evidence that the wheat belongs to National Food Security Scheme and the petitioner was indulging in black marketing of those wheat.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Barahara (Krishnagarh) P.S. Case No. 356 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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