

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35046 of 2017

Arising Out of PS.Case No. -145 Year- 2017 Thana -DAUDNAGAR District- AURANGABAD

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Binod Singh S/o Late Ram Kishore Singh resident of Village - Chauram,
P.S. - Daudnagar, District - Aurangabad. Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Sri Bharat Lal, A.P.P.

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

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Daudnagar P.S. Case No. 145 of 2017 registered for the
offence punishable under Section 7 of Essential Commodities Act,
seeks the privilege of pre-arrest bail.

Allegedly, the petitioner being PDS dealer of Chauram
village was found not distributing the grains regularly and he used
to sell the same in black-market.

Submission is of false implication and that without
any legal and cogent material the case has been lodged. The name
of beneficiaries has not been disclosed who made allegation
against the petitioner. The petitioner was never indulged in such
activities and he does work regularly. The petitioner had fallen ill
and went to Daudnagar. In the meantime, the shop was inspected



by the informant. The informant has wrongly taken L.T.I. on plain paper. He has not recorded the statement of the petitioner and that the petitioner used to sell on fixed price and there is no complaint against him and, as such, he deserves sympathetic consideration.

The learned A.P.P. fairly submits that in the First Information Report the name of the beneficiaries has not been given.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 145 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

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