

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1156 of 2017

Arising Out of PS.Case No. -521 Year- 2016 Thana -ARARIA District- ARRARIA

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Ashraf Zia, Fair Price Dealer cum Food Grain Dealer, S/o Late Ziaur Rahman, Resident of Village- Gaiyari Tola, Sisona, P.S.- Araria District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 17-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks anticipatory bail in a case instituted for the offence under Sections 406, 409, 420 of the Indian Penal Code and Section 07 of the Essential Commodities Act.

It is alleged in the written report filed by the Block Supply Officer, Araria, that 40.72 quintal of wheat and 61.08 quintal of rice were supplied to the P.D.S. shop of the petitioner on 27.7.2016, but on inspection by the informant, on the date of occurrence, the quantity of wheat and rice and the kerosene oil was shown as nil in the stock register.

It has been submitted on behalf of the petitioner that after inspection and before lodging the First Information Report,



he has distributed the rice and wheat among the card holders. It is further submitted that the petitioner has not committed any black-marketing and no complain has been made by any of the card holders against the petitioner. The petitioner has drawn attention of this Court towards paragraph-15 of the bail petition that he has distributed wheat and rice among the beneficiaries from 6.8.2016 to 9.8.2016 in presence of local Mukhia Ward members.

Considering the aforesaid facts and circumstances of the case, let the petitioner in the event of surrender, named above, within six weeks from the date of receipt of this order, in connection with Araria P.S. Case No. 521 of 2016, 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 Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

(Sanjay Priya, J)

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