

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31345 of 2017

Arising Out of PS.Case No. -134 Year- 2017 Thana -WARSALIGANJ District- NAWADA

=====

1. Parmeshwar Kumar @ Panna Lal @ Parmeshwar Son of Sri Arjun Sao,
2. Pramod Kumar , Son of Late Gaya Mahto,
3. Tulsi Prasad , Son of Late Kesho Mahto, All are Resident of Village and
Post Baghi Bardiha, P.S.- Warisaliganj, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Sinha

For the Opposite Party/s : Mr. Dinesh Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 11-07-2017

Heard learned counsel for the petitioners

and learned APP for the State.

Petitioners are languishing in custody since
10.06.2017 in connection with Warsaliganj P.S. Case No.
134/2017 for offences punishable under Section 7 of the
Essential Commodities Act and under Section 414 of the
Indian Penal Code.

The prosecution case, as lodged by the
Block Supply Officer, Warsaliganj, is that on information
that government rice was being loaded on a Tata 709 truck
for the purposes of black marketing, a raid was conducted
and 109 bags containing 54 quintals of rice was confiscated



from the truck and the petitioners were apprehended. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the petitioners that petitioner no. 1 is the son of the miller Arjun Sao, petitioner no. 2 is the *khalasi* and petitioner no. 3 is a local villager and they have no concern with the alleged rice as the villagers had given their paddy for milling at the mill of Arjun Sao and rice being the free sale commodity and the petitioners not being the PDS dealers, no case under Section 7 of the E.C. Act is made out against them. He submits that some of the farmers have given on affidavit that they had given their paddy for de-husking at the mill of Arjun Sao where alleged truck has been seized, hence, no case under Section 414 IPC is made out against the petitioners.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate,



Nawada in connection with Warsaliganj P.S. Case No.
134/2017.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

