

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33590 of 2017

Arising Out of PS.Case No. -160 Year- 2017 Thana -GARKHA District- SARAN

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Bharat Prasad, S/o Yogendra Prasad @ Sadhuji, Resident of Village-
Sadhpur, P.S.-Garkha, District-saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Advocate with
Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Bisheshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-07-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Garkha P.S.Case No. 160 of 2017 registered for the offences punishable under Section 7 of E.C.Act and Sections 341, 323, 353, 504, 506/34 of the Indian Penal Code.

Allegation against the petitioner as per FIR is that in the rice mill of the petitioner 60 to 65 bags of food grains were found, which were suspected to be of Bihar State Food Corporation.

It has been submitted on behalf of the petitioner that the bags are not of the BSFC, rather on the bags it was marked as BSFC and it is also submitted that even if it is accepted that the bags of wheat of Government agency were recovered from the mill premises, no offence is made out in the eye of law.



Heard learned APP also.

Having heard both sides and in view of above facts and circumstances, let the petitioner, named above, surrender in the court below within four weeks from today and on his so surrendering, learned court below will release him on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Saran at Chapra, in connection with Garkha P.S. Case No. 160 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and petitioner shall co-operate in the investigation and make himself available before the police as and when required and in the event of failure on his part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of his bail bond and further petitioner will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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