

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56692 of 2017

Arising Out of PS.Case No. -280 Year- 2017 Thana -RAMNAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Moti Patel Son of Ram Bilash Patel
2. Lal Babu yadav Son of Late Darhu Yadav
3. Beni sah @ Banni Sah, Son of Late Ram Nath sah All are resident of
Village-Taulha, P.S.-Ramnagar, District-West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 29-11-2017 Learned counsel for the petitioners submits that
petitioner no. 1, Moti Patel, has been arrested by the police, so he
seeks permission to withdraw this application.

Permission is accorded.

Accordingly, this application is dismissed as withdrawn
with regard to petitioner no. 1, Moti Patel.

Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioner nos. 2 and 3 apprehend their arrest in
connection with Ramnagar P.S. Case No. 280 of 2017 registered
under Section 7 of the Essential Commodities Act.



The accusation is that the informant being the B.D.O.-cum-Block Supply Officer, Ramnagar, on receiving secret information about black marketing of food grains, raided the house of Ram Ashish Yadav in village Taulha and seized 40 bags of rice. On query, it was found that the said bags of rice are belonging to the Bihar State Food Corporation and Manki Devi, mother of Ram Ashish Yadav, disclosed that on the instruction of Nanhe Pandey, the rice bags were kept there by the petitioners.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that petitioner nos. 2 and 3 are resident of Taulha, where the alleged bags of rice are said to be seized. In fact, the petitioners are farmer and labourers and they only kept the bags on the instruction of Nanhe Pandey and both have no concerned about the seized bags. Further submission is that petitioner nos. 2 and 3 have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner nos. 2 and 3 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Bagha, West Champaran, in connection with Ramnagar P.S. Case



No. 280 of 2017, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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