

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26012 of 2017

Arising Out of PS.Case No. -689 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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Sabit Lal Yadav S/o Late Chhotelal Yadav, resident of Village- Khopaiti
Tuniyahi, P.S.- Madhepura, District- Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-08-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
13.04.2017 in connection with Madhepura P.S. Case No. 689 of
2016 registered for the offence punishable under Sections 420 and
379 of the Indian Penal Code and Section 7 of the E.C. Act

The prosecution case, as lodged by the Block Supply
Officer, Madhepura, is that petitioner was granted a PDS licence,
which was cancelled on 24.10.2016. Thereafter, during inspection
on 04.11.2016, it was found that about 130-140 bags of wheat and
rice were still available in the godown and godown was sealed. On
05.11.2016 when the informant went to the godown, he found



that the seal had been broken and the grill on the window had been removed and even the wall had been cut and 130-140 bags of rice and wheat were found missing.

It has been submitted by the learned counsel for the petitioner that he is innocent, there is no criminal antecedent and he was not available at the place of occurrence when the seal was put on the godown. He submits that no seizure-list has been prepared nor the godown had been sealed as per the procedure prescribed under law. He further submits that no one has seen the petitioner removing the seal and taking out the grains from the godown. He submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 689 of 2016, subject to the



condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned Court below as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J.)

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