

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8656 of 2017

Arising Out of PS.Case No. -147 Year- 2016 Thana -OBRA District- AURANGABAD

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Shivam Sao @ Shivan Sao S/o Late Babu Lal Sao, Resident of Village-
Bara, P.S.- Obra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-03-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Obra P.S. Case No. 147 of 2016 for the offences punishable under section 420/34 of the I.P.C and section 7 of the Essential Commodities Act.

Allegedly, acting on a tip off that the PDS dealer Shankar Dayal Ram has sold wheat and rice to the petitioner, raid was conducted and from the Dalan of the petitioner three bags of wheat each containing 50 kg. and two bags of rice each containing 50 kg. hand stitched and out of them one bag of wheat and one bag of rice having marka of SFC Bihar, were seized. Thereafter, raid was conducted in the shop of the P.D.S. dealer where more wheat



and rice were seized than the stock.

Submission is of false implication and that no bag was found machine stitched, the petitioner is a businessman and deals in the rice and the wheat, he has purchased from the farmers but due to ulterior motive the Block Supply Officer seized the same, the petitioner has not purchased those rice and wheat from the P.D.S. dealer and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances as stated above, considering that all the bags were found hand stitched and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M. Daudnagar, District- Aurangabad in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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