

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10303 of 2017

Arising Out of PS.Case No. -82 Year- 2016 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

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1. Laxman @ Laxman Sah son of Late Bhukhal Sah Resident of Village -
Gaunaha, Police Station - Gaunaha, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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

2 15-03-2017 Heard learned counsel for the petitioner, and the

learned counsel representing the State.

The petitioner apprehends his arrest in connection
with Gaunaha P.S Case No. 82 of 2016 registered for the offence
punishable under Section 7 of the Essential Commodities Act.

Allegedly, 32 quintal rice in 64 bags were recovered
from the house of the petitioner and it was suspected that the said
rice was of Rakesh Kumar Sharma who is contractor of MDM
scheme.

Submission is of false implication and that the rice
which was recovered is of the petitioner. Rakesh Kumar Sharma
has already allowed pre-arrest bail after considering that in his



stock there was no discrepancy, vide Criminal Miscellaneous No. 51472 of 2016 by another co-ordinate Bench of this Court and further other co-accused Nirmal Sharma has also been allowed pre-arrest bail vide Criminal Miscellaneous No. 48981 of 2016. The said rice was not of MDM and, as such, the petitioner also deserves sympathetic consideration.

Learned A.P.P. fairly submits that MDM contractor and his associate have already been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of the order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Gaunaha P.S. Case No. 82 of 2016 subject to the conditions as laid down in Section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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