

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57766 of 2017

Arising Out of PS.Case No. -60 Year- 2017 Thana -GHOSBARI District- PATNA

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Ram Naresh Das, S/o Late Bihari Das, R/o Village- Laxmipur, P.S.-
Ghoswari, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Ghoswari P.S. Case No.60 of 2017 registered under Section 420,
379 and 120(B) of the Indian Penal Code besides Section 7 of the
E.C. Act.

The accusation is that on receiving secret information
about loading of 20 bags rice, weighing 10 quintal, by the
petitioner, a fair price shop dealer, and his son Sujeet, on a
vehicle, for black marketing, the informant being the A.D.S.O.,
Barh, Patna, proceeded for there. In the way, a vehicle bearing
Registration No.BR-9D-3089 loaded with 20 bags rice was



stopped and the local businessman Uday Sao and the driver Anant Kumar were apprehended. Thereafter, the shop of the petitioner was searched and, on verification of the stock register and other registers, 6 quintal rice were found in excess.

Learned counsel for the petitioner submits that the petitioner, who is Fair Price Shop Dealer of Shambhagarh Panchayat, and his son have falsely been implicated in this case. It would appear from the F.I.R. itself that just after the recovery of 20 bags rice from the vehicle, the shop of the petitioner was searched where six quintal rice was found in excess in the stock. In fact, few quantity of rice was sold to the consumers by the petitioner of the bags but without weighing the bags, the informant has calculated the measurement of the rice counting the bags. Further submission is that there is no allegation against the petitioner at the hands of the consumers.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Barh, Patna, in connection with Ghoswari P.S. Case No.60 of 2017, subject to the conditions



laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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