

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44998 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -DUMARIA District- GAYA

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1. Sheonath Prasad Gupta, Son of Late Mahesh Saw, resident of Village:
Kewlakala, P.O: Kewlakala, P.S.: Dumariya, District: Gaya (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 11-10-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Dumariya Police Station Case No. 83 of 2016, disclosing
offences under Sections 7 of the Essential Commodities Act.

Learned counsel for the petitioner has submitted that
the petitioner, who is of clean antecedent, is innocent and has
not committed any offence. In fact, the petitioner happens to be
a PDS dealer has no concern with the alleged recovery rather the
alleged tractor loaded with rice belongs to Sanjeet Kumar, son of
petitioner, and he is said to have purchased the said rice from the
farmers for selling it in the market. Nothing incriminating has
been recovered from the possession of petitioner. Moreover,



stock register and sale register of the PDS shop of the petitioner has been verified but no infirmity has been found by the I.O. Therefore, no case under Section 7 of the E.C. Act is made out against the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Sub-Divisional Judicial Magistrate, Sherghati, Gaya, in connection with Dumariya Police Station Case No. 83 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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