

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14571 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -BHARGAWAN District- ARRARIA

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Md. Ibrahim @ Ibrahim, S/o Dukhay Mian, resident of Village- Maratipur,
P.S.- Kursakanta, District- Araria.

.... Petitioner/s

Versus

The State of Bihar. null null

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-03-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhargama
P.S. Case No. 193 of 2016 instituted for the offence under
sections 7 of E.C. Act.

It has been submitted that FIR has been lodged after
five days of the occurrence. The petitioner has been made accused
merely on suspicion.

As per written report 43 quintals and 55 kg. of rice
was found loaded in a pick van. The petitioner is driver of the
aforesaid pick van. The rice loaded on the said pick-van was of
MDM scheme and it was carried for the purpose of black
marketing.

The driver has told that he has got loaded the rice
through a businessman to carry it up to Gulzar Bagh but he has no



knowledge about the businessman.

It has been submitted that the police has filed this case on suspicion as nobody has come forward to claim those rice. The police has wrongly said that rice is government subsidized rice and was being taken for black marketing.

In this manner, mere suspicion has been raised against this petitioner.

The petitioner is driver of the aforesaid vehicle.

It is mentioned in para-3 that the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner named above, within six weeks from today, in connection with Bhargama P.S. Case No. 193 of 2016, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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