

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40126 of 2018**

Arising Out of PS.Case No. -82 Year- 2018 Thana -DHAMDAHA District- PURNIA

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1. Lankesh Kumar @ Lankesh Jha, Son of Ajay Mandal @ Mankar Mandal,  
Resident of Village- Gauripur Parsa, Police Station- Barhara Kothi, District-  
Purnea.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      11-07-2018      Heard the parties.

The petitioner is apprehending his arrest in connection with  
Dhamdaha P.S.Case no.82 of 2018 , registered for offences  
punishable under Sections 7 of the Essential Commodities Act.

Allegation against the petitioner is that P.D.S. shop articles  
were taken by Beloro Pick Up Van and he is owner of the Belero  
Pick Up Van.

Submission of the learned counsel for the petitioner is that  
he is not dealer of the P.D.S. shop rather he is owner of the vehicle  
and he has nothing to do with the seized articles.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and  
circumstances, as stated above, let the petitioner, above named, in



the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Purnea in connection with Dhamdaha P.S.Case NO.82 of 2018 (G.R.No.1112 of 2018) subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

**(Vinod Kumar Sinha, J)**

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