

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43479 of 2018

Arising Out of PS.Case No. -85 Year- 2018 Thana -GARKHA District- SARAN

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Jitendra Kumar Sah, S/o Yogendra Prasad, resident of Village- Sadhpur,
P.S.- Garkha, District- Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Advocate
Mr. Dhananjaya Nath Tiwari, Advocate
For the Opposite Party/s : Mr. Bisheshwar Ram

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks anticipatory bail in a case instituted
for the offences under Section 7 of the E.C. and Sections 420,
427, 201, 120(B)/34 of the Indian Penal Code.

The police has seized twenty five bags of wheat, making
an allegation that wheat is for the purposes of PDS.

Learned counsel for the petitioner submits that petitioner is
dealer of wheat and he has purchased the same with proper
invoice and the same was kept in the godown. Allegation is
completely illegal because it was in a bag of FCI which can not
be said to be for the purposes of PDS.

Looking to the facts and circumstances of the case, in the



event of arrest or surrender within four weeks from today, let petitioner, namely, Jitendra Kumar Shah, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Saran in connection with Garkha P.S. Case No.85 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that whenever police will call the petitioner for investigation/integration, he will present himself to co-operate police for the same. In failure, the prosecution will be at liberty to file an application for cancellation of bail before court below.

(Shivaji Pandey, J)

Vinay/Sunny

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