

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52324 of 2018

Arising Out of PS.Case No. -179 Year- 2018 Thana -KISHUNPUR District- SUPAUL

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Rajo Gupta @ Rajo Prasad Gupta S/o Late Ramrup Gupta, R/o Vill.-
Saraigarh, P.S.- Kisanpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Nityanand

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 414 of the Indian Penal Code and 7 of Essential
Commodities Act.

The allegation against the petitioner is that he was found
indulged in black-marketing of foodgrains of PDS.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner is a trader in foodgrains. The rice in question does not
belong to the PDS. It is further submitted that the petitioner is
ready to deposit an amount of Rs. 50,000/- in the court below



subject to final outcome of the case.

Learned Counsel for the State submits that the petitioner is named in the complaint/FIR.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit the said amount of Rs. 50,000/- in the court below subject to final outcome of the case within a period of three months from the date of receipt of the order. In the meantime, if the petitioner surrenders in the court below within a period of eight weeks from today, he shall be released on provisional anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Kishanpur P.S. Case No. 179 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is made clear that on deposit of an amount of Rs. 50,000/- within the stipulated period, the provisional bail granted to the petitioner shall be confirmed by the court below itself.

(Sudhir Singh, J)

A.K.V./-

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