

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15702 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -BAUSI
District- PURNIA

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Malik Gulam Mustafa S/o Late Malik Bahruddin, R/o Village-
Chahat, P.S.- Baisi in the District of Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-04-2018 The petitioner who is a P.D.S. dealer seeks bail in
anticipation of his arrest in connection with Baisi P.S. Case
No. 05 of 2018 dated 03.01.2018 instituted for the offence
under Section 7 of the Essential Commodities Act.

Six quintals of rice in twelve bags were found on a
tempo vehicle which was alleged to be of the petitioner. The
allegation has been levelled against him of attempting to sell
the aforesaid rice in black market with the help of his son
which was meant to be distributed to the beneficiaries under
the scheme.

Learned counsel for the petitioner has submitted that
the consignment which was seized from a tempo is wrongly
stated to be of the Public Distribution System shop of the
petitioner. There was no identification mark over the



aforesaid sacks of rice for those to be identified as a commodity which was to be sold to the beneficiaries. The allegation of removing the aforesaid rice for the purposes of black-marketing is also only based on suspicion.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, 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 learned Sub-Divisional Judicial Magistrate, Purnea in connection with Baisi P.S. Case No. 05 of 2018.

(Ashutosh Kumar, J)

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