

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3740 of 2018

Arising Out of PS.Case No. -188 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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1. Santosh Kumar @ Santosh Kumar Gupta S/o Dharmaraj Prasad @
Dharmaraj Sah, R/o Village- Raghunathpur, P.S.- Raghunathpur, District-
Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Sri Ataur Rahman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-02-2018 The petitioner is apprehending his arrest in

connection with Raghunathpur P.S. Case No. 188 of 2017,

registered for offences punishable under Section 7 of Essential

Commodities Act.

Prosecution case in short is that police on informant that

petitioner and one other has purchased control rice for the purpose

of black marketing, which was being transported by a pickup van

and reached at the food grain shop and found the said pickup van

parked in front of his shop. On seeing the police accused persons

fled away and from there police recovered 6.72 quintals rice,

which was meant for public distribution.

It has been submitted on behalf of the petitioner that no

recovery has been made from possession of the petitioner and he



has falsely been made accused in this case. Further petitioner has no criminal antecedent.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts as well as in view of the fact that petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Siwan, District – Saran, in connection with Raghunathpur P.S. Case No. 188 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C as well as subject to the 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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before



the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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