

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11660 of 2018

Arising Out of PS.Case No. -182 Year- 2017 Thana -BELHAR District- BANKA

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Ajay Mishra @ Ajay Kumar Mishra son of Bhrigunath Mishra, resident of
village-Vishwakarma Dhoura, P.S.-Belhar, District- Banka

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Belhar P.S. Case No.182 of 2017 registered under Section 7 of the
Essential Commodities Act.

It is submitted by the learned counsel for the petitioner
that merely because some gas cylinders were found from the
house of the petitioner, it cannot be presumed that he was indulged
in black marketing of any essential commodity. He submitted that
the cylinders found from the house were of bona fide consumer
and other articles which were recovered are not prohibited under
any law.

Learned counsel for the State has opposed the prayer for
grant of pre-arrest bail to the petitioner.

Regard being had to the nature of offence and the



submissions that the petitioner has got no criminal antecedent, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate,Banka in connection with Belhar P.S. Case No.182 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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