

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7766 of 2018

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

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Someshwar Chauhan @ Suneshwar Chauhan @ Sumeshwar Chauhan, Son of
Ramayan Chauhan, Resident of Village- Raghunathpur, Police Station-
Raghunathpur, District- Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Tiwary, Advocate
For the Opposite Party/ : Smt Sangeeta Sharma (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Raghunathpur P.S. Case No. 188 of 2017, registered for the
offences punishable under Section 7 of the Essential
Commodities Act.

Allegedly, the informant got confidential
information that the petitioner and co-accused Santosh Kumar
have purchased control rice from Most. Ingura Kunwar P.D.S.
dealer for the purpose of black marketing, which was being
transported by a pick-up van and after search 6.72 quintals
rice, which was meant for public distribution was seized and
pick-up van was also seized.



Submission is of false implication and that nothing has been recovered from possession of the petitioner and only on the information furnished by spy the petitioner has been implicated. Similarly situated co-accused Santosh Kumar @ Santosh Kumar Gupta has already been allowed pre-arrest bail vide Cr. Misc. No. 3740 of 2018 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that Santosh Kumar @ Santosh Kumar Gupta has been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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, Siwan, in connection with Raghunathpur P.S. Case No. 188 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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