

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6343 of 2018

Arising Out of PS.Case No. -164 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

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1. Ramaji Prasad @ Ramji Prasad, son of Late Hiralal Prasad, resident of
Village- Dakshin Mohalla, Mirganj, Police Station- Mirganj, District-
Gopalganj Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner : Mr. Bakhshi S.R.P. Sinha, Sr. Adv. with
Mr. Lokesh Kumar Singh, Adv.
For the Opposite Party : Mr. Jitendra Kumar Singh, APP 98

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

3 17-02-2018 Heard the learned counsel for the petitioner and the

learned counsel appearing for the State.

The petitioner is apprehending arrest in connection
with Bijaipur P.S. Case No. 164 of 2017 for offences under
Sections 420 and 414/34 of the Indian Penal Code and 7 of the
Essential Commodities Act.

Learned senior counsel appearing on behalf of the
petitioner submits that the facts of this case Section 7 of the
Essential Commodities Act is not attracted as there is no allegation
or material to make out a case of violation of Essential
Commodities Act. There is no allegation of violation of any
licensing order. There is allegation that the petitioner was
involved in this case for offence under Sections 420 and 414/34 of
the Indian Penal Code. The learned counsel submits that the



petitioner was neither the owner of the pick-up van nor he was Public Distribution System dealer. He has absolutely no connection with the food grains which was intercepted by police and seized. He submits that the petitioner is innocent and has been falsely implicated only because he resides in same locality where Poshahar was allegedly seized. In paragraph 3 of the petition, there is statement that the petitioner has no criminal antecedent.

In view of the above the Court is inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above named, in the event of his arrest or surrender, within one month from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Bijaipur P.S. Case No. 164 of 2017** to the satisfaction of **Subdivisional Judicial Magistrate, Gopalganj**, or successor Court, subject to the condition enumerated in Section 438(2) of the Criminal Procedure Code.

(Anil Kumar Upadhyay, J)

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