

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18633 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -BASOPATTI District- MADHUBANI

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Ram Bilakshan Tiwari, S/o Late Khattar Tiwari, Resident of Village-
Phent, P.S.- Basopatti, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Suneil Kumar Thakur, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 06-04-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Basopatti P.S. Case No.11 of 2018 registered under
Sections 7 of the Essential Commodities Act.

It is submitted by the learned counsel for the
petitioner that merely on hypothetical presumption and wild
suspicion, the first information report has been instituted. It is
further submitted that no deficiency was found in the godown of
the petitioner but out of malice, it has been shown that there was
deficiency of four quintals of rice of a particular scheme. It is



also submitted that no beneficiary has ever come forward to make complaint of non-supply of the articles from the P.D.S. shop of the petitioner.

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

Having regard to the nature of allegation and the submissions made above, 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/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-V, Madhubani in connection with Basopatti P.S. Case No. 11 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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