

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11474 of 2018

Arising Out of PS.Case No. -171 Year- 2017 Thana -KUSHESHWARSTHAN District-
DARBHANGA

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1. Binod Kumar Rai
2. Mani Kant Rai Both Sons of Sri Ramchandra Rai Resident of Village &
PO-Ethar, P.S.-Kusheshwarasthan District-Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 27-02-2018 Heard both sides.

The petitioners apprehend their arrest in
Kusheshawarasthan P.S. Case No.171 of 2017 registered under
Section 7 of the E.C. Act.

The Block Incharge of Mid-day Meal alleged that the
petitioners kept the rice in the house of Laxmi Sah for black
marketing.

The learned counsel for the petitioners submits that the
house of Laxmi Sah was searched and 34 bags containing rice
were recovered. The school was also searched and only shortage
of 1 quintal and 15 Kgs. of rice was found. There is nothing to
show that the petitioners had kept the rice of mid-day meal of the



school in the house of Laxmi Sah. On mere suspicion, the names of the petitioners have figured in the case. Petitioners are teachers.

Considering the facts aforesaid and the nature of allegation made against the petitioners and the fact that only 1 quintal and 15 Kgs. rice was found shortage from the school whereas 34 bags rice were recovered from the house of Laxmi Sah, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ravi Kumar, J.M. 1st Class, at Biroul District-Darbhanga in connection with Kusheshawarasthan P.S. Case No.171 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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