

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11327 of 2018

Arising Out of PS. Case No.-184 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

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Mukesh Kumar, Son of Sheo Kumar @ Shiv Kumar Singh Resident of
Village-Bajharua, P.S.-Udwantnagar, District-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. SRI UDAY CHAND PRASAD

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

ORAL ORDER

2 28-02-2018 Supplementary affidavit has been filed on behalf

of the petitioner annexing copy of the requisition by which

prayer has been made to issue warrant of arrest against the

petitioner also as non F.I.R. accused.

Let it be kept on record.

Heard learned counsel for the petitioner and

learned counsel representing the State.

The petitioner apprehends his arrest in connection

with Udwant Nagar P.S. Case No. 184 of 2017, registered for

the offences punishable under Sections 409, 420 of the Indian

Penal Code and Section 7 E.C. Act, 1955.

Allegedly, the petitioner and his brother Manoj

Kumar were found removing subsidized food grain from the

house of Bijendra Kumar Singh to the house of Kishun Mahto.



Submission is of false implication and that Bijendra Kumar Singh and Manoj Kumar have already been granted anticipatory bail vide order passed in Cr. Misc. No. 42509 of 2017 and Cr. Misc. No. 49030 of 2017. The petitioner is not a P.D.S. dealer and no offence under Section 409 and 420 of the I.P.C. and Section 7 of the E.C Act is made out against the petitioner and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that two co-accused who are named in the F.I.R. have already 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 S.D.J.M., Ara, in connection with Udwant Nagar P.S. Case No. 184 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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