

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11435 of 2018

Arising Out of PS.Case No. -32 Year- 2016 Thana -MATIARIA District-
WESTCHAMPARAN(BETTIAH)

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1. Mukesh Ram S/o Late Brija Ram R/o Village-Pakadi Kala, P.S.-
Gaunaha, District-West Champaran.
2. Bimla Devi @ Hindia devi W/o Baldeo Urao
3. Baldeo Urao S/o Late Bikau Urao Both are R/o Village-Sonbarsha, P.S.-
Matiyariya, District-West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Smt. Pushpa Sinha

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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 Matiyaria P.S.
Case No.32 of 2016 registered under Sections 353, 414, 379 of the
Indian Penal Code and Section 7 of the E.C. Act.

The gist of allegation is that the informant and other
police officials caught Mukesh Ram and Baldeo Urao, petitioner
Nos.1 and 3 while they were carrying wheat and rice on the
bullock cart but the other accused persons came and got them
freed from the custody of the police. Again the police went to the
house and recovered bags of wheat and rice.

The learned counsel for the petitioners submits that



police after investigation finding the case false against the petitioners but the learned court below took cognizance differing with the finding of the investigating officer. There is nothing on record to show that the petitioners had kept the foodgrains of S.F.C. to sell in black market. There is no control order for the foodgrains and the petitioners had kept the same for their own house.

Considering the facts aforesaid, 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 learned S.D.J.M., Bettiah, West Champaran in connection with Matiyaria P.S. Case No.32 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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