

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56350 of 2018

Arising Out of PS.Case No. -108 Year- 2018 Thana -LAKHNAUR District- MADHUBANI

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Pawan Ram, S/o Rup Chandra Ram @ Rup Chand Ram, R/o Vill.- Deep (Mithila Deep), P.S.- Lakhanaur (R.S.O.P.) District- Madhubani. At P.D.S. Dealer Deep.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Section 7 of the E.C. Act.

The prosecution story, in brief, is that the petitioner had sold in the market, total material of May 2018 and when S.D.O. reached for checking total amount of 35 quintals and 70 sacks of rice and 40 sacks of wheat lying in the shop which were not distributed to any one, three drums of Kerosene Oil and 7 empty Drums were also found at the spot, it was also found that after 25.05.2018, no distribution was made by the petitioner while he has taken the materials from Godown of the Government and



the materials were sold into the black market.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is a P.D.S. dealer. Allegation made in the F.I.R. is denied by the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand only) in the learned court below which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand only) in the learned court below which shall be subject to final disposal of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist Jhanyharpur,



Madhubani, in connection with Lakhanour (R.S.O.P.) P.S. Case
No. 108 of 2018, subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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