

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7841 of 2018

Arising Out of PS.Case No. -272 Year- 2017 Thana -ROHTAS District- SASARAM (ROHTAS)

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Naresh Paswan son of late Basropan Paswan, Resident of Village-Rasulpur
P.S. Rohtas, District-Rohtas.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3/ 30-03-2018

Heard learned counsel for the petitioner and the
State.

The petitioner apprehends his arrest in Rohtas P.S.
Case No. 272 of 2017 of instituted for the offence under Section(s)
7 of E.C. Act.

It is alleged by the informant that on 01.06.2017,
Consumers of village Rasulpur gave information regarding Black
marketing of P.D.S. Article by petitioner, on which informant
went to Rasulpur for verification and found eight bags of wheat
and three bags of rice outside the shop of petitioner. The shop was
closed. The display board regarding P.D.S. material, stock register
and other material was not found. In presence of husband of the
Block Pramukh and villagers the informant sealed the shop of
petitioner.

The counsel for the petitioner submitted that the
petitioner was not present at the time of alleged raid. The shop was



closed and petitioner had gone to doctor for treatment. The Petitioner knew about the illegal act done by the informant when he returned from doctor.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Rohtas P.S. Case No. 272 of 2017**, he shall be released on anticipatory 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., Dehri Rohtas**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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