

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57698 of 2018

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1. Sohrab Alam @ Sohrab, S/o Masleuddin, resident of Village Sisauna
Ward No. 14, P.S. Jokihat District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhijeet Gautam

For the Opposite Party/s : Md. Sufiyan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 7 of Essential Commodities Act.

The prosecution case, in brief, is that 54 bags each containing
55 kg. of Arwa rice and 290 bags of wheat loaded over in a Pick
up van and truck were seized by the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. There is no
evidence to ascertain that the rice or wheat in question belongs to
the government. The stitching on the bags was hand stitched. The
petitioner is owner of the Pick up Van in question. The said Pick
up van is used as a public carrier by driver of the petitioner. The



petitioner has been made accused in this case due to mistake of fact.

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

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/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 learned Sub Divisional Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 193 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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