

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2351 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- KURSAILA District- Katihar

Naresh Sah aged about 48 years Male, S/o Late Moti Sah Resident of village-
Balthi, Maheshpur, P.S.- Kursela, District - Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr.Dhananjaya Nath Tiwari
For the Opposite Party/s :		Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kursela P.S. Case No. 198 of 2018 registered for the offence
punishable under Section 7 of the E.C. Act.

The allegation is regarding recovery of 913 bags of
rice from the house/premise/godown of the petitioner herein
where a raid was conducted by the B.D.O., Kursela.

The learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case and
moreover the petitioner is not a P.D.S. dealer, hence no illegality
can be attributed to the petitioner herein. It is further submitted
that as per the provisions of the Removal of (Licensing
Requirements, Stock Limits & Movement Restrictions) on



Specified Foodstuffs Order, 2002, there is no limit with regard to the storage of seized goods. Lastly, it is submitted that the petitioner is having a clean antecedent and is languishing in custody since 04.11.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 198 of 2018.

(Mohit Kumar Shah, J)

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