

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9674 of 2019

Arising Out of PS. Case No.-642 Year-2018 Thana- AMARPUR District- Banka

KOSI SAH @ KRISHNA MOHAN SAH Son of Late Narayan Sah Resident
of Village - Bhitia, P.S. - Fullidumar, Dist - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 29-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

Petitioner is not a PDS Dealer rather a Ward Member. 30 quintals of rice was recovered from the house of the petitioner and allegation is that the same was to be sold on subsidized rate to the needy people.

Submission is that the petitioner has got no criminal antecedent and for political rivalry, false allegation has been levelled. There is no material to substantiate, except suspicion that the recovered rice was to be used for supply to the marginalized people.

The contention is that the same was of the petitioner



kept in the bag which was purchased from the market.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Amarpur (Phullidumar) Police Station Case No. 642 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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