

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20264 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- OBRA District- Aurangabad

Surendra Ram (Male), aged about 51 years, S/o- Late Karu Ram, Resident of Village- Malwan, P.S.- Khudwa, District- Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mrs.Nivedita Nirvikar and Mr. Subodh Kumar Barnwal, Advocate.
For the State	:	Mr. C.Jawhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-04-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 420 of the IPC and 7 of the E.C. Act.

The prosecution story, in brief, is that on 01.02.2019, Villagers of Malwan Village had informed the S.D.O. Daudnagar that Surendra Ram whose P.D.S. license has already been cancelled, had carried rice, supplied under P.D.S. to Obra to sell in black market. The S.D.O. directed the Panchayati Raj Officer, Obra, to enquire into. The said Officer went there and having seized the rice in presence of villagers brought it to the Obra Police Station. Then he reported to the S.D.O. Daudnagar



about seizure of 12 bags of rice each containing 58 Kg. Then as per direction of the S.D.O., the informant Block Supply Officer, Obra, lodged this case.

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. There is no evidence to show that the rice in question belongs to the Government. Merely on the basis of suspicion, it is being said that the food grains was for the purpose of public distribution.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R./ complaint case.

Considering the aforesaid facts and circumstances, 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 S.D.J.M. Aurangabad, in connection with Obra P.S. Case No. 27/19, subject to the conditions as laid down under Section 438(2) of



the Code of Criminal Procedure.

(Sudhir Singh, J)

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