

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22396 of 2019

Arising Out of PS. Case No.-639 Year-2018 Thana- BODHGAYA District- Gaya

MANOJ KUMAR S/o Sri Ramautar Prasad R/o village- Dhanawan, P.S.-
Bodh Gaya, District- Gaya. At present Resident at K.P. Lane, Near Mahadev
Mandir, Gaya, P.S.- Civil Lines, Gaya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-04-2019 Heard the parties.

The petitioner is apprehending his arrest in connection with Bodh Gaya P.S.Case no.639 of 2018 dated 4.11.2018, registered for offences punishable under Section 409 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Allegation of seizure of 12 quintal of rice from the tempo and the Driver has disclosed that he has loaded the rice from the shop of Arvind Kumar and taking it to the shop of the petitioner, who is a rice mill owner.

Submission of the learned counsel for the petitioner is that he is not PDS Dealer and he has been made accused only on the basis of confession of the co-accused and there is no



recovery from the shop or mill of the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya in connection with Bodh Gaya P.S. Case No.639 of 2018 dated 04.11.2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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