

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72896 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- AKBARPUR District- Nawada

MD. MAKSUD ALAM Son of Sahud Sah Resident of Village - Rajhat, P.S.-
Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma
For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 7 of the
E.C. Act.

35 quintals of rice are said to have been recovered
from Tata 407 vehicle being loaded at the P.D.S. shop of Rajan
Kumar and on stock verification of the aforesaid P.D.S. dealer,
stock was found deficit by the aforesaid quantity of the rice.

It is submitted by learned counsel for the
petitioner that the petitioner has no concern with the aforesaid
occurrence. He has been falsely implicated in the case merely
because he happens to be the driver of the vehicle in question.



He had brought the vehicle at the shop of aforesaid dealer on the instruction of the owner. As petitioner happens to be the driver of the vehicle in question and private person hence no offence under the E.C. Act is made out against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Nawada in connection with Akbarpur P.S. Case No. 237 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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