

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79896 of 2019**

Arising Out of PS. Case No.-207 Year-2019 Thana- MANSI District- Khagaria

SANTOSH SAH @ SANTOSH KUMAR SAH Son of Lakshmi Sah Resident
of Village - Saidpur, P.S.- Mansi, Distt.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

2 09-12-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Mansi P.S.Case No.207 of 2019 , registered for offences
punishable under Section 7 of the Essential Commodities Act.

As per FIR, 18 bags of rice and 05 bags of wheat were
recovered from a tempo and the tempo driver discloses name
of the petitioner as the person who has given for sale in the
black market.

Submission of the learned counsel for the petitioner is
that he is not PDS Dealer rather his brother is PDS dealer, the
case is not made out under Section 7 of the Essential
Commodities Act against him and more over P.D.S Dealer is his
brother, who has already been granted privilege of the



anticipatory bail, by this court, vide order dated 27.11.2019 passed in Cr. Misc. No.71812 of 2019.

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 learned court below within a period of three weeks from the date of receipt of the 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, Khagaria in connection with Mansi P.S.Case No.207 of 2019, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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