

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79024 of 2018

Arising Out of PS. Case No.-76 Year-2011 Thana- DAWATH District- Rohtas

Godhan Chaubey @ Prakash Chaturbedi @ Shri Prakash Choubey, S/o Late
Munidar Chaubey @ Munmun Chaubey, Resident of village-Babhanaul, P.S-
Dawath, Distt.-Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha, Advocate

For the Opposite Party/s : Mr.Sri Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioner and

learned counsel for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Dawath P.S. Case No. 76 of 2011,
registered for the offence punishable under Section 420 of the
Indian Penal Code and under Section 7 of the Essential
Commodities Act.

Allegation has been made that 197 bags of D.A.P.
of I.F.F.C.O. company were lying in Maliyabagh and the Police
has seized the said bags.

It has been submitted that the condition of the road
was very bad and on that account the bags of fertilizer kept in
Maliyabagh and later on, it was distributed among the farmers



and the Police after investigation has submitted the Final Form, mentioning that it is a mistake of fact.

Looking to the entire facts and circumstances of the case, let the petitioner, namely, Godhan Chaubey @ Prakash Chaturbedi @ Shri Prakash Choubey, be released on anticipatory 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 bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas, in connection with Dawath P.S. Case no. 76 of 2011, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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