

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18487 of 2020

Arising Out of PS. Case No.-770 Year-2019 Thana- GARKHA District- Saran

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1. DEV NARAYAN RAI @ DEVNARAYAN RAI S/o Late Baijnath Rai R/o village- Pathra, P.S.- Garkha, District- Saran at Chapra
 2. Virendra Prasad Yadav @ Birendra Prasad Yadav S/o Late Baijnath Rai R/o village- Pathra, P.S.- Garkha, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-08-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For
Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered under Section 420 of the Indian Penal Code and
Section 7 of E.C. Act.

The prosecution case, in short, is that shortage of food
grains was found in the stock which was meant for welfare
scheme of the government and the same was found black



marketing in the open market..

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The allegations made in the F.I.R. is denied by the petitioners. No offence under section 7 of the E.C. Act is made out. It is further submitted that the petitioners are ready to deposit a sum of Rs. 50,000/- (fifty thousand) jointly in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, **on deposit of a sum of Rs. 50,000/- (fifty thousand) jointly in the Court below which shall be subject to final disposal of the case,** the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned S.D.J.M., Saran at Chapra in connection with Garkha P.S. Case No. 770 of 2019, subject to the



conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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