

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30622 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- CHARPOKHARI District- Bhojpur

BHARAT SINGH S/o Late Mundrika Singh R/o Village-Barani, P.S.-
Charpokhari, District-Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate
For the Opposite Party/s : Mr. J.K.Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 19-01-2021 Heard learned counsel for the petitioner and learned APP for the State. Learned counsel for the petitioner hereby undertakes to remove all defects pointed out by the Stamp Reporter as and when required. It is accordingly directed that all defects pointed out by the Stamp Reporter be removed within one month hereof.

2. The petitioner apprehends his arrest for the offences alleged under Sections 188, 420 of the Indian Penal Code and under Section 7 of the E.C. Act registered in connection with Charpokhari P.S. Case No. 56 of 2020.

3. It is submitted that the petitioner has been falsely implicated in connection with allegation of irregularities committed by the petitioner, who is a PDS dealer. It is submitted however that the order of the Sub-Divisional Officer dated 12.04.2020 pursuant to which the present FIR has been lodged has itself been quashed by order dated 24.06.2020 passed in CWJC No. 5644 of 2020 (Annexure-3). As such the very foundation on which the present prosecution has been instituted no longer survives. The petitioner claims clean antecedents.



4. Learned APP appears and has been heard.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Charpokhari P.S. Case No. 56 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C. if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

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