

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33792 of 2020

Arising Out of PS. Case No.-113 Year-2020 Thana- RAHUI District- Nalanda

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KAMLESH KUMAR SINGH Son of LATE AVINASH KUMAR SINGH
Resident of Village - Dekpura, P.S.- Rahui, Distt.- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohit Agarwal

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioner is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

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

The petitioner is apprehending his arrest in a case registered under Section 7 of the Essential Commodities Act.

The prosecution case in short is that on physical verification, extra quantity of rice and wheat were found in the godown of the petitioner and it is apprehended that the same was kept for black-marketing.

It has been submitted on behalf of the petitioner that there is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present



case. 151.20 quintals of wheat and 28.30 quintals of rice is said to have been found in the P.D.S. shop of the petitioner. The said quantity is found to be excessive in the stock. The allegation made in the F.I.R. is denied by the petitioner. The food grains found in the godown was not kept for the purpose of black-marketing.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with G.R. No. 1757 of 2020 giving rise to Rahui P.S. Case No. 113 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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