

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9972 of 2021

Arising Out of PS. Case No.-18 Year-2018 Thana- SUKHANI District- Kishanganj

MD. GULAB @ KASIF QUAMAR @ GULAB Son of Md. Kuiyum
Resident of Village - Bhagwanpur Balrgachhi, P.S.- Jokihat, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 413, 414 of the Indian Penal Code
and 7 of Essential Commodities Act.

The prosecution case in short is that 129.5 quintals of
wheat with F.C.I. mark is seized in this case.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake



of fact. The name of the petitioner has transpired merely on the ground that the recovered wheat bags had a mark of F.C.I. It is further submitted on behalf of the petitioner that such bags are used as recycled bags by the farmers. From perusal of the entire prosecution case, it appears that it is not the case that any of the F.C.I. godown have a shortage of the wheat which is alleged to have been recovered from the truck in question.

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 twelve 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 Judicial Magistrate, 1st Class, Kishanganj in connection with Sukhani P.S. Case No. 18 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U		T	
---	--	---	--

