

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73802 of 2019

Arising Out of PS. Case No.-763 Year-2018 Thana- MOTIPUR District- Muzaffarpur

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Harendra Bhagat, aged about 60 years, male, Son of Late Binda Bhagat,
Resident of Village - Kodarkatta, P.S. - Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. D.N. Tiwary, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 06-12-2021 Heard the counsel for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Motipur P.S. Case No. 763 of 2018 (G.R. No. 996 of 2018), dated 30.08.2018, instituted for the offences under Sections 379/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The accusation against the petitioner is that forty six bags of wheat and rice were recovered from a pick-up



van, which bags are alleged to have been loaded at the instance of the petitioner.

It has been submitted on behalf of the petitioner that the accusation against him is absolutely false. The petitioner is a PDS dealer and merely because of that, the recovery of forty six bags is being saddled upon him. The seized bags of food-grains have been claimed by another person who had purchased it from free market. It has also been submitted that the stock position of the petitioner was also verified and no shortage was found therein.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (West), Muzaffapur in connection with Motipur P.S. Case No. 763 of 2018 (G.R. No. 996 of 2018), subject to the conditions laid down under Section 438(2) of the Cr.P.C.



The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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