

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36237 of 2021**

Arising Out of PS. Case No.-147 Year-2020 Thana- NAUTAN District- Siwan

SONU KUMAR JAISWAL @ SONU KR. JAISWAL @ SONU KUMAR
BARNWAL Son of Madan Sah @ Madan Barnwal Resident of Village -
Bania Tola Kilpur, P.S.- Nautan, District - Siwan. At Present Resident of
Village - Bhawani Chhapar, P.S.- Khampar, District - Deoria, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove
the defect(s), as pointed out by the office, within a period of
four weeks.

The petitioner is apprehending his arrest in Nautan P.S.
Case No. 147 of 2020 registered under Section 7 of the E.C.
Act.

Allegedly, 9 bags of wheat and 4 bags of rice containing
50 kg each bag were said to have been loaded on a motor
rickshaw at the instance of the petitioner from the shop of
Subhash Singh, PDS dealer.

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 in the present case due to mistake of fact. During the whole investigation, no evidence has been found to show that the petitioner was indulging in black marketing of foodgrains. The seized foodgrains with rickshaw-Thela was recovered on 29-01-2020 and the F.I.R. has been lodged on 23-09-2020. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final outcome of the case.

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

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final outcome of the case. On doing so, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, shall 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 Sub Divisional Judicial Magistrate, Siwan in connection with Nautan P.S. Case No. 147 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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