

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49767 of 2021

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

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SUBHASH SINGH @ SUBHAS SINGH S/o LATE GANESH SINGH R/o
V-SALIMPUR, P.S-NAUTAN, DISTRICT-SIWAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prafull Chandra Thakur, Advocate.

For the Opposite Party/s : Mr.A.G

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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 E.C. Act.

Allegedly, 9 bags of wheat and 4 bags of rice each weighing 50
kg. was recovered from a motor rickshaw which is said to have been
loaded from shop of the petitioner.

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. The
petitioner happens to be PDS dealer. The name of the petitioner has
transpired in this case on the basis of disclosure made by co-accused.



Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- 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. 25,000/- 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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