

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43210 of 2022

Arising Out of PS. Case No.-242 Year-2022 Thana- MOHANIYA District- Kaimur (Bhabua)

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Madan Sah S/O Late Munni Sah Resident Of Village- Sonhan, P.S.- Sonhan,
District- Kaimur At Bhabua.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.

As per prosecution case, 23.50 quintal of rice and 8.50 quintal of wheat was recovered from a tractor of which this petitioner is owner.

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is next submitted that the tractor in question was hired by the goods owner. Petitioner is neither a PDS dealer nor was he driving the tractor. Petitioner has got no concern with the seized foodgrains and is made accused in this case merely because he is owner of the tractor in question. Petitioner has got



clean antecedent.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of thirty days from the date of receipt/production of copy of this order, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Kaimur at Bhabua in Mohania P. S. Case No. 242 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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