

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55848 of 2021

Arising Out of PS. Case No.-106 Year-2021 Thana- JHANJHARPUR District- Madhubani

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Arun Purve S/O Late Ram Prasad Purve @ Late Ram Prasad Purwe R/O
Village-Tulapatganj Bazar, Sangram, P.S-Jhanjharpur (ARARIA Sangram
O.P), District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State, Dr. Kumar Uday Pratap.

The petitioner seeks bail in connection with
Jhanjharpur (Araria Sangram O.P.) P.S. Case No. 106 of 2021
instituted for the offence under Section 7 E.C. Act, 1955.

Learned counsel for the petitioner submits that the
petitioner is in custody since 18.05.2021, charge-sheet has been
submitted in the case and has antecedent of four cases, all under
the Excise Act.

Learned counsel for the petitioner submits that the
informant alleges that godown of the petitioner was raided
where one truck and a pick up van was found parked outside the
godown from which 1650 Kg of wheat and 13050 kg of rice of



P.D.S. was seized and the petitioner was not present at his godown.

Learned counsel for the petitioner submits that the petitioner is not a P.D.S. dealer rather he is a retail businessman and as per allegations also, he was not present at his godown when the alleged truck and the pick up van along with the seized articles had come. Learned counsel further submits that the real accused persons who had brought the alleged pick-up van and the truck had fled parking the said two vehicles outside his godown and thus based on suspicion, the petitioner came to be arrested that the aforesaid vehicle had come laden with the goods for being purchased by the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 18.05.2021, charge-sheet has been submitted in the case and the petitioner was not present at his godown when the alleged raid was conducted, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Jhanjharpur, Madhubani in connection with



Jhanjharpur (Araria Sangram O.P.) P.S. Case No. 106 of 2021
with a condition that one of the bailor shall be the younger
brother of the petitioner (Shatrudhan Purve @ Shatrudhan
Purwe).

(Satyavrat Verma, J)

Gaurav Kumar/-

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