

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55628 of 2021

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

1. Manoj Kumar Purve @ Manoj Purve S/O Late Ram Prasad Purve @ Late Ram Prasad Purve R/O Village-Tulapatganj Bazar, Sangram, P.S-Jhanjharpur (ARARIA Sangram O.P.), District-Madhubani.
2. Amit Kumar Purve S/O Arun Purve R/O Village-Tulapatganj Bazar, Sangram, P.S-Jhanjharpur (ARARIA Sangram O.P.), District-Madhubani.
3. Md. Sakir Sah S/O Md. Kasim Shah R/O Village-Piparauliya Tole Nanour, P.S-Rudrapur, District-Madhubani.
4. Md. Tausif @ Tausif S/O Jamil Akhtara R/O Village-Piparauliya, Ward No.5, P.S-Jhanjharpur (ARARIA Sangram O.P.), District-Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-10-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 7 of the E.C. Act.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He submits that petitioner no.1 and petitioner no.2 are the owners of the vehicles. He further submits that petitioner no.3 and petitioner no.4 are the drivers of the said vehicle. He submits that there is no recovery made from the said vehicles. He submits that petitioners are neither dealer nor are agent hence, Section 7 of the E.C. Act is not applicable against them. He submits that brother of the petitioner Arun Purve purchased government food grains through auction purchase which was kept in the godown of the petitioners and co-accused Arun Purve was in judicial custody on the time of the raid. He further submits that petitioners have no criminal antecedent except petitioner no.1 who has got one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court
in connection with Jhanjharpur P.S. Case No. 106 of 2021,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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