

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65010 of 2021**

Arising Out of PS. Case No.-107 Year-2021 Thana- SACHIVALAYA District- Patna

MITHUN KUMAR Son of Shri Surendra Prasad Permanent resident of
Tharthari Bazar, P.O.- Raipur Kol Bigha, P.S - Tharthari, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar

For the Opposite Party/s : Mrs. Sucheta Yadav, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 17-10-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 7 of the E.C. Act.

As per the prosecution case, 27 bags of wheat with
logo of FCI has been seized from the vehicle of this petitioner.

Learned counsel appearing for the petitioner submits
that petitioner has been made accused in this case merely
because he is owner of the vehicle. He has nothing to do with
the seized food grains. Petitioner is not a PDS dealer and no
offence u/s 7 of the E.C. Act is made out against him. Petitioner
has got clean antecedent.

Learned counsel appearing for the State opposes the
prayer for anticipatory bail.

Considering the facts of the case, nature of accusation



and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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, Patna in connection with Sachiwalaya PS case No. 107/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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