

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35143 of 2023

Arising Out of PS. Case No.-1112 Year-2022 Thana- KAHALGAON District- Bhagalpur

Ashok Yadav @ Ashok Kumar Yadav S/O- Shankar Yadav Village- Sanokhar
Ps- Sanokhar Dist- Bhagalpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Adv

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Learned counsel for the petitioner has produced a
photocopy of the receipt of purchase of foodgrains in the Court.

3. Let it be kept on record.

4. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 7 of the E.C.
Act.

5. As per the prosecution case, on the basis of secret
information, the informant has seized 35 quintal subsidized
Government rice which was loaded on one Mahindra Pick Up Van.
The petitioner is the owner of the said vehicle.

6. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.
The allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He submits that the petitioner is
not named in the FIR, the petitioner is made accused in the



present case on the basis of confessional statement of driver Madan Kumar. Learned counsel for the petitioner has produced a photocopy of the receipt in the Court, in which it is mentioned that the said 70 plastic bags i.e. 35 quintal of rice was purchased by M/S Modi Stores, Jharkhand on 18.10.2022. He further submits that there is no requirement of license for it. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposes prayer for anticipatory bail.

8. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) 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 Kahalgaon (Rasulpur) P.S. Case No. 1112 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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