

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39576 of 2023

Arising Out of PS. Case No.-502 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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DINESH TIWARI S/O LATE HARINARAYAN TIWARI R/O VILLAGE-
BABHANAULI, PS. GOVINDGANJ, DIST. EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kant Mani Tripathi, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for grant of anticipatory bail apprehending his arrest in connection with Govindganj P.S. Case no. 502 of 2022 registered for the offence punishable under section 7 of Essential Commodities Act.

3. As per allegation in the F.I.R, on information having been received about black marketing being done by the petitioner who happens to be a PDS shopkeeper in the panchayat, a raid was conducted and on inspection 32.46 kgs of wheat and 113.09 quintals of rice was found short. As such the instant FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The contents



of the FIR with respect to the search and seizure as also the allegations made therein are contradictory to each other. There is no shortage of stock and a proper explanation was given. Even the verification which was carried out was not proper. The petitioner has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. specially the petitioner not having any criminal antecedent, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Govindganj P.S. Case no.502 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.- 1st , East Champaran, Motihari.

(Partha Sarthy, J)

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