

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43592 of 2023

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

MADAN PASWAN S/O LATE BACHAN PASWAN R/O Village- Sanokhar
Bazar, P.S- Sanokhar, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Prasad, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

3. 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 driver of the said vehicle.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No such occurrence as alleged ever took place. He has been
falsely implicated in this case due to ulterior motive. The
allegation levelled against the petitioner is not specific rather
general and omnibus in nature. He has been made accused in
the present case merely because he is driver of the seized



vehicle. Similarly situated co-accused, namely, Ashok Yadav, owner of the seized vehicle has been enlarged on bail by this court vide order dated 28.07.2023 passed in Cr. Misc. No. 35143 of 2023. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 (Rasalpur) 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)

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