

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51842 of 2022

Arising Out of PS. Case No.-985 Year-2020 Thana- BANKA District- Banka

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MAUSHAM KUMAR TUDU S/O NAVI KUMAR TUDU Resident of
village- Nipaniya, P.S.- Banka, District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey,Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Banka P.S. Case No. 985 of 2020 for the offence registered under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

As per the FIR, the petitioner was involved in the black marketing of food grains meant for Public Distribution System, license which was in the name of accused, Neetu Kumari, mother of the petitioner herein. Accordingly, the FIR was lodged.

Learned counsel for the petitioner submits that he is a young boy of 21 years and pursuing study away from the State, is the son of Neetu Kumari and has nothing to do with the PDS



dealership and/or the black marketing. His last submission is that Neetu Kumari and others have since been granted the relief vide Cr. Misc. No. 37630 of 2021 on 11.03.2022 by a Co-ordinate of this Court.

Let the same be kept on record.

Taking into account the fact that he is a young boy, do not have criminal antecedent and the PDS license is in the name of Neetu Kumari, who has since been granted relief, this Court is also inclined to extend the relief to the petitioner.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Banka in connection with Banka P.S. Case No. 985 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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