

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61380 of 2022**

Arising Out of PS. Case No.-148 Year-2022 Thana- CHAUTHAM District- Khagaria

SANDEEP KUMAR S/O Jhalendra Singh R/O Village- Agrahan (Panchayat
Thuthi Mohanpur), P.S- Chautham, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 08-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 7 of the E. C. Act.

Prosecution case relates to recovery of 58 bag of Government aided Arwa rice and 45 bags of maize from a tractor of Model Swaraj 74XT without a number plate.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The petitioner is not a P.D.S. Dealer. It is further submitted that the maize belongs to the petitioner which is for selling in market and so far rice is concerned that was purchased from local people and thereafter it



was send in whole seller. It is further submitted that this case does not come under preview of Essential Commodities act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The petitioner is languishing in judicial custody since 16.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Choutham P.S. Case No. 148 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Khagaria.

(Sunil Kumar Panwar, J)

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