

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66482 of 2022

Arising Out of PS. Case No.-57 Year-2022 Thana- PIPRIYA District- Lakhisarai

Insafi Saw @ Mukesh Kumar Son Of Bharosi Saw @ Ram Bharosa Saw R/O
Village- Diyara Pipariya, P.S- Pipariya, District- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Bilochan, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 7 of the Essential Commodity Act (hereinafter referred to as the 'E.C. Act').

The allegation against the petitioner is of illegally purchase of 21.00 Quintal Arwa rice and said to have involved in black marketing of the subsidized grain.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. The police has apprehended one person along with a commander Jeep No. BR53-2949, in which police has recovered 21.00 Quintal of Arwa rice and the driver who



apprehended on place of the occurrence disclosed with the police that the said Arwa rice belongs to the petitioner. Learned counsel for the petitioner submits that petitioner is not P.D.S. dealer, there is only a shop of kirana and he further submits that there is no license is required to sale the grains. Therefore, he submits that Section 7 of the E.C. Act not applicable against the petitioner. He further submits that the petitioner has no criminal antecedent as mentioned in para-3 of the bail application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Pipriya P.S. Case No. 57 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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