

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69166 of 2022

Arising Out of PS. Case No.-235 Year-2021 Thana- BARHARA District- Bhojpur

MUNDRIKA RAM Son of Late Masudan Ram R/V- Parsurampur, P.S-
Barhara (Sinha O.P) Dist- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-04-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Barhara (Sinha O.P.) P.S. Case No. 235 of 2021 dated 09.04.2021 registered for the offences punishable under Sections 406, 420 and 504 of the Indian Penal Code and Section 7 of E.C. Act.

As per the prosecution, the petitioner's public distribution shop was raided by the informant in which 16.19 quintals of wheat and 19.41 quintals of rice were found less on tallying with the E-POS machine.

The main submissions advanced by petitioner's



counsel are that in the present time, the petitioner's health condition is not good and he is under treatment in jail and the shop where the alleged raid was conducted is situated in the house of co-accused Ramjee Singh and the petitioner had taken the said house as a tenant and in fact the said Ramjee Singh had forcibly been running the alleged shop for 20 years and during investigation, all the material witnesses have also supported the said fact. Further submission is that the petitioner is 75 years old person and has been languishing in jail since 07.08.2022.

Learned APP appearing for the State has opposed the bail prayer.

Considering the above submissions and mainly the petitioner's old age and his failing health condition as per above submission, in my opinion it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Barhara (Sinha O.P.) P.S. Case No. 235 of 2021.

(Shailendra Singh, J)

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