

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.77422 of 2023**

Arising Out of PS. Case No.-336 Year-2023 Thana- PARBATT A District- Khagaria

BIJENDRA MANDAL S/O LATE VIMALDEV MANDAL VILLAGE-  
SIYADATTAPUR POST AGUWANI, PS. PARBATT A, DIST. KHAGARIA,  
STATE- BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Niraj Kumar, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      07-12-2023      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 of the E.C. Act.

3. Petitioner is said to be the owner of the said vehicle from which 11 sack Usha rice weighing 550 kg was seized.

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. His name has been transpired in



the present case merely because he is the owner of the seized commercial vehicle Tempo. He has no knowledge about the seized rice. It is further submitted that the seized rice has already been given to one Prasoon Kumar, who is vendor of the Public Distribution System. 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 Parbatta P.S. Case No. 336 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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