

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1405 of 2023**

Arising Out of PS. Case No.-314 Year-2022 Thana- KUMAR KHAND District- Madhepura

Naresh Yadav S/O Achchhelal Yadav @ Late Achhelal Yadav Resident Of  
Village- Haribola, Ward No- 08, P.S.- Kumarkhand, District- Madhepura.  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Surya Narayan Yadav  
For the Opposite Party/s : Mr.Parmeshwar Mehta

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

2      08-02-2023                      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 Commodities Act.

As per FIR, the informant seized 50 bags contain 25 quintals subsidies rice from the residential premises of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that alleged rice containing 25 quintals were recovered behind the house of the petitioner which does not belong to him. He submits that the name of the petitioner comes in this case on the instance of statement of police which is no value in the eye of law. He submits that the petitioner is not



license holder to sale and purchase the goods as such, no offence is made out under Section 7 of the E.C. Act. He further submits that petitioner has no criminal antecedent as stated in para-3 of this 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 Kumarkhand (Bhatni O.P.) P.S. Case No. 314 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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