

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62262 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Bhim Prasad Thakur Son of Radheshyam Thakur Resident of Village- Lohra,
P.S.- Chainpur, Distt. Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard Mr. Tribhuwan Narayan, learned counsel for the

petitioner and Mr. Dilip Kumar No.1, learned A.P.P. for the

State.

2. The petitioner apprehends his arrest in a case registered

for the offences punishable under Sections 409 & 420/34 of the

Indian Penal Code and Section 7 of the Essential Commodity

Act.

3. Petitioner is said to have sold 53 sacks of Arwa Chawal in

black market, which was meant for distributing in the public

distribution system.

4. It is submitted by learned counsel for the petitioner that

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. The petitioner has been made accused in this case on the confessional statement of co-accused, Satendra Sah, which has no evidentiary value in the eye of law. It is further submitted that no offence under Section 420 of the I.P.C. is made out rather Section 7 of the E.C. Act is made out against the petitioner. 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, 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 Chainpur P.S. Case No. 216 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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