

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18006 of 2025

Arising Out of PS. Case No.-15 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Md. Ekamuddin @ Ahkamudin S/O Late Md Kalamuddin @ Kalamuddin
Village- Nayagaon east, P.S.- Shyampur Bhataha, Dist.- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.
For the Opposite Party/s : Mr. Navin Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 16-04-2025 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Shyampur Bhataha P.S. Case No. 15 of 2024 registered for the offences punishable under Sections 406, 120 of the IPC and Section 7 of Essential Commodities Act.

3. The allegation against petitioner is to involve in black marketing of rice and wheat being PDS dealer.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the rice and wheat are no more essential commodities through GSR No. 57 dated



10.11.1986. It is also pointed out that the petitioner was on police bail during investigation and so was given privilege of Section 41A of Cr.P.C. The petitioner joined investigation as and when directed and there is nothing on record suggesting that the aforesaid privilege was misused during investigation, hence, sending the petitioner behind bar would not serve any judicial purpose. Learned counsel while arguing this matter relied upon legal report of ***Mahendra Prasad Singh vs. The State of Bihar*** reported in ***(2004) 2PLJR 491***. While concluding arguments, it is submitted that petitioner found involve in one more criminal case where he is on bail.

5. Learned APP, opposed the prayer of bail.

6. In view of aforesaid as petitioner was given privilege of Section 41A of Cr.P.C. during investigation, which *prima-facie* not appears misused, accordingly petitioner above-named , in the event of his arrest or surrender before the court below within a period of four



weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sheohar/concerned Court, where the case is pending in connection with Shyampur Bhataha P.S. Case No. 15 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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