

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43094 of 2014

Arising Out of PSe No. -219 Year- 2014 Thana -MASAURHI District- PATNA

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Awadhesh Prasad, son of Sidheshwar Prasad, resident of village Masaurhi
Malikana, PSs Masaurhi, District Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Azad

For the Opposite Party/s : Mr. Veena Rani Pd, APP

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

2 04-03-2015

This application under section 438 of the Code of Criminal Procedure is filed by the petitioner for grant of anticipatory bail in connection with Masaurhi PS Case No. 219 of 2014 registered for the offences punishable under Section 7 of the Essential Commodities Act.

ABP No. 21143 of 2014 was filed by the petitioner before the court of Sessions Judge, Patna and the same was dismissed on 8.9.2014. Hence, this application.

Heard learned counsel for the petitioner and the learned Addl. Public Prosecutor for the State.

The petitioner is a fair price shop owner. The only allegation against the petitioner is referable to Section 7 of the Essential Commodities Act and the Control Orders passed thereunder which provide for detailed procedure to be followed whenever any discrepancies are noticed on the part of the dealer. This Court is of the view that it is not necessary to arrest the petitioner in the context of the present case.

Hence, this application is allowed.

I direct that in the event of being arrested, the petitioner shall be released on bail on furnishing bail bonds of Rs.10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Masaurhi, District Patna, in connection with Masaurhi PS Case No. 219 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(L. Narasimha Reddy,CJ)

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