

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46180 of 2012

=====

Idrish Ansari S/O Late Yashin Ansari R/O Village - Nokha, P.S. Nokha,
District - Rohtas

.... Petitioner/s

Versus

1. The State Of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rana Pratap Singh

For the Opposite Party/s : Smt.Veena Rani Prasad

=====

CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 21-05-2015 After having heard Shri Rana Pratap Singh, learned counsel appearing on behalf of the petitioner and Smt.Veena Rani Prasad, learned counsel appearing for the State, the Court is not convinced about the ground that a summoning order must point out as to what order issued under Section 3 of the Essential Commodities Act was violated. It could be the looked out of a trial Court to hold as above on the basis of evidence when it is required to express its opinion on the proof/disproof of the charges. The learned counsel appearing for the petitioner has drawn the attention of the Court to paragraph-8 of the petition which details the defence of the petitioner which has to be considered, in the court's opinion, at an appropriate stage of the trial.

The petition lacks merit and the same is dismissed.

The learned counsel was requesting the Court to direct the trial Court to consider some points which have been raised

before this Court at the time of hearing on framing of charges or explaining the accusation to the accused. The Court believes that that right is inherent in all accused and that no observation could scuttle out the right nor could add up to it.

(Dharnidhar Jha, J)

B.Kr./-Saif

U		T	
---	--	---	--