

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21165 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -MUSRIGHARARI District- SAMASTIPUR

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Dinesh Prasad Gupta @ Dinesh Prasad son of Late Baleshwar Sah, Resident
of Mohalla Jhilli Chowk, Mathurapur, P.S. Warisnagar, District- Samastipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar Agrawal, Advocate.

For the Opposite Party : Mr. Kumar Virendra Narayan (APP)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 30-07-2015 Heard learned counsel for the petitioner as well as

learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 419, 420, 467, 468, 471, 472, 475, 272 and 120B/34 of the I.P.C and sections 27, 50, 53 and 59 of Food Safety & Standards Act, 2006 and its Rules, 2011.

In the premises of M/S Parmatma Allied Feed Company Private Limited raid was conducted and allegedly huge quantity of Mustered Oil, Vegetable Oil and Refined Oil was found being packed in 15 kg. tin of various brands and pouch and accordingly supervisor of the petitioner was apprehended and different brands of Vegetable Oils and several articles, like

Chemical and Colour etc. were recovered and seized. Several tins of different brands, like Damru Brand, Gol Mohar Brand, Activa Brand and Avon etc. were also seized.

Submission is of false implication and that the petitioner has filed Criminal Writ Jurisdiction Case No. 331 of 2015 in the Hon'ble Court which was heard and by order dated 26.05.2015 sealing of the factory was found wholly illegal and unauthorized and accordingly the Food Safety Officer was directed to unseal the factory premises and further the seized articles were directed to be released and accordingly the writ petition was disposed of and as such the petitioner deserves sympathetic consideration as the articles found were used as raw material for manufacturing poultry feed and further in the test report mustered oil and vegetable oil were found not adulterated and were confirmed to the standard parameters.

The learned A.P.P. does not oppose the aforesaid contention.

In the facts and circumstances as stated above and further considering the order dated 26.05.2015 passed in Criminal Writ Jurisdiction Case No. 331 of 2015, the petitioner in case of his arrest or surrender within one month from the date of receipt/production of a copy of this order shall be released on bail

on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of. S.D.J.M. Samastipur in Musrigharari P.S. Case No. 24 of 2015, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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