

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44582 of 2015

Arising Out of PS.Case No. -190 Year- 2015 Thana -BRAHMPURA District- MUZAFFARPUR

=====

Sudarshana Devi @ Sudarshan Devi Wife of Late Madan Lal Arora R/o
Village Laxmi Chowk, ATM Gali, P.S. Brahampura, District Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Advocate
Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Amit Kr.Rakesh, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 14-10-2015 Heard learned Senior Counsel for the petitioner and
learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Bhramपुरa P. S. Case No. 190 of 2015 registered under Section 7
of the Essential Commodities Act.

According to the prosecution case, on suspicion, a Tata
Magic Ace vehicle was intercepted by the police on 23.07.2015.
On being searched, eight quintals of rice kept in 20 bags and four
quintals of wheat kept in ten bags were recovered from the said
vehicle. The driver disclosed that he loaded food grains from the
house of the petitioner on the direction of one Vikash Kumar,
owner of the vehicle, for illegal sale of the same in the open

market.

It is contended that the petitioner is a P.D.S. dealer since 1975. Her licence was renewed from time to time. She has been running the PDS dealership for the last forty years without any complain from any corner. She has been implicated in the present case merely on the statement of the driver of the seized vehicle. The authorities did not inspect the shop of the petitioner. It is further contended that in election of Panchayat, the petitioner had supported a candidate for the post of Mukhiya, who was defeated, and because of it the Mukhiya, who got elected, conspired against her and got her implicated in a false case. It is also contended that the petitioner is an old lady aged about more than 70 years and is suffering from several ailments.

Learned counsel for the State has opposed the application of the petitioner filed under Section 438 of the Code of Criminal Procedure.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, West,

Muzaffarpur in Bhrampura P. S. Case No. 190 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

Kanchan/-

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