

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9414 of 2015

Arising Out of PS.Case No. -232 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

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1. Ashok Kumar Chaudhary Son of Late Ramakant Chaudhary
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Mr. Vijay Anand

For the Opposite Party/s : Mr. Nagendra Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Motipur P.S. Case No. 232 of 2014 registered for the offences
punishable under Sections 409 of the Indian Penal Code and 7 of
Essential Commodities Act.

Petitioner was Assistant Godown Manager of
B.S.F.C. and the accusation against him is that he illegally deputed
an unauthorized person to look after the affairs of the godown and
when surprise inspection was made, the godown was found closed.

The contention on behalf of the petitioner is that
godown was locked by the owner of the house as the rent of
aforesaid godown had not been paid and the information regarding

the aforesaid affair had already been given by the petitioner. It is further contended by him that there is no allegation of misappropriation and so far as Section 7 of Essential Commodities Act is concerned, the same is not applicable against the petitioner in view of Clause 31 (2) of the Unification order.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, West, Muzaffarpur in Motipur P.S. Case No. 232 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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