

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47682 of 2015

Arising Out of PS.Case No. -243 Year- 2015 Thana -MADHUBAN District- EAST CHAMPARAN
(MOTIHARI)

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Shakuntala Devi @ Smt. Shakuntala Devi Wife of Late Achhelal Prasad @
Achhelal Bhagat, resident of Village-Dulma Barapakad, P.S. Madhuban,
District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL ORDER

3 04-11-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Madhuban
P.S. Case No. 243 of 2015 dated 20.07.2015 instituted under
Section 7 of the Essential Commodities Act.

The allegation against the petitioner who is the
P.D.S. Dealer is of lifting the materials once in three months
and distributing the same at a higher rate and also there being
some discrepancy in the quantity.

Learned counsel for the petitioner submits that
the F.I.R. does not disclose any specific instance relating to
any of the allegations made. It is submitted that in fact, prior
to lodging of the F.I.R., pursuant to a show cause to the

petitioner, she has denied all the allegations which was also supported by affidavits from various consumers indicating that there was no complaint against the working of the petitioner. It is submitted that the petitioner besides being a lady has no criminal antecedent.

Learned A.P.P. submits that the mere fact that she used to lift the materials once in three months indicates that the working was not in accordance with law.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Motihari, East Champaran in Madhuban P.S. Case No. 243 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that she shall not indulge in any malpractice or criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of her bail bonds. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear

on two consecutive dates, without sufficient cause, shall also
lead to cancellation of her bail bonds.

(Ahsanuddin Amanullah, J.)

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