

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53046 of 2015

Arising Out of PS.Case No. -205 Year- 2015 Thana -DAGARUA District- PURNIA

- =====
1. Afsana Begam
 2. Nizamuddin @ Md. Nizamuddin.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the PDS dealer and petitioner no.2 being the husband of petitioner no.2 are apprehending arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

Two bags of rice were recovered from one Jivachh Sah who claimed to have purchased the same from the PDS shop of the petitioner no.1. On getting information, the informant inspected the PDS shop of the petitioner no.1 and found shortage in the PDS shop of the petitioner no.1.

It is submitted by learned counsel for the petitioners that there is no case made out against petitioner no.2. Moreover, admittedly recovery has not been made from the PDS shop of petitioner no.1. Moreover inspection was made without considering the closing balance.

Considering the fact that no case under Section 7 of the E.C. Act is made out against petitioner no.2 and petitioner no.1 being a lady, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Purnea in connection with Dagarua P.S. Case No. 205 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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