

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12878 of 2016

Arising Out of PS.Case No. -120 Year- 2007 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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1. Hari Kishore Prasad son of Late Kedar Prasad resident of Village-
Gamhariya, P.S.- Raxaul, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 30-03-2016 Heard learned counsel for the petitioner and the
State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Section 7 of the
Essential Commodities Act.

The prosecution case is that on 06.09.2007 Fair
Price Shop of the petitioner was found closed and price board
was also missing, when shop of the petitioner was sealed.

It is submitted by the learned counsel for the
petitioner that on conclusion of investigation the petitioner
was not sent up for trial. Final Form was submitted on
28.02.2010, but differing with the Final Form order of
cognizance was passed on 22.01.2012 but no process was
served upon the petitioner. Hence, the petitioner was not

aware about the order of cognizance has been passed.

Considering the fact that the petitioner was not sent up for trial, it is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Raxaul P.S. Case No. 120 of 2007, pending in the court of learned Sub-Divisional Judicial Magistrate, Motihari, East Champaran.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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