

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50848 of 2016

Arising Out of PS.Case No. -2 Year- 2005 Thana -GOVERNMENT OFFICIAL COMP. District-
EASTCHAMPARAN(MOTIHARI)

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Nagendra Prasad, son of Kapildeo Prasad, resident of Chainpur Ghora
Sahan Road, Dhaka, Police Station - Dhaka, District - East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Trial No. 397 of 2015, arising out of Office Complaint No.
02/2005, for the offences instituted under Sections 16-i(ia) of the
P.F. A. Act.

The prosecution story, in brief, is that the informant who
happens to be the Food Inspector, East Champaran, Motihari, filed
an official complaint alleging therein that the Masur Dal on the
shop of the petitioner was checked, sample was taken and sent to
Combined Food and Drug Laboratory, Patna, who reported that
the sample of Dal was adulterated as it is not of standard of purity



land down under P.F.A. Rule, 1955.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has been made accused in the present case due to mistake of fact. As per the laboratory report, it has been indicated that the sample of the Masur Dal does not conform to the prescribed standard of purity laid down under the P.F.A. Rules, 1955 and hence adulterated. It is further submitted that the petitioner is ready to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 15,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Trial No. 397 of 2015, arising out of Office Complaint No. 02/2005, on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned A.C.J.M., Sikrahana at Dhaka, subject to the conditions as
laid down under Section 438(2) of the Code of Criminal Procedure

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(Sudhir Singh, J)

