

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48468 of 2016

Arising Out of PS.Case No. -149 Year- 2016 Thana -KATORIA District- BANKA

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Kailash Yadav @ Kailash Prasad Yadav, son of Moti Yadav, resident of
village Amtua, P.S. Katoriya (Suiya O.P.) district Banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rajesh Kumar, Adv.

For the Opposite Party : Smt. Asha Devi, APP 85

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-12-2016 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Section 7 of the Essential Commodities Act.

The petitioner is the Public Distributing System
dealer. On inspection of the premise shortage of rice and wheat
was found by the authorities.

Submission of the petitioner is that the supplier of the
food grain Pradyumn Kumar lodged Katoriya (Suiya) P.S. Case
No. 152 of 2016 against the petitioner alleging therein that the
grains were supplied which was received by the petitioner without
giving any receipt.

Submission of the petitioner is that in fact no grain
was supplied to the petitioner and just to save his skin Pradyamun
Kumar falsely lodged case. Petitioner has got no criminal
antecedent except the aforesaid case.

Considering the aforesaid fact, the petitioner, above
named, in the event of his arrest or surrender, within four weeks
from the date of receipt of this order, be released on anticipatory
bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand)



with two sureties of the like amount each in connection with Katoriya (Suiya) P.S. Case No. 149 of 2016 to the satisfaction of the Subdivisional Judicial Magistrate, Banka, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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