

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27670 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -GANGABRIDGE District-
VAISHALI(HAJIPUR)

=====

Gaya Prasad Sah, son of Late Mahabir Sah, Resident of Village-Kuwari
Buzurg, P.S.- Ganga Bridge, District- Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner, being a PDS dealer, is apprehending

his arrest in connection with Ganga Bridge P.S. Case No.15 of

2016 for allegedly having committed the offence under

Section 353 of the Indian Penal Code and Section 7 of the

Essential Commodities Act.

Learned counsel for the petitioner submits that

though the petitioner has lifted the quota of kerosene oil for

being distributed, soon thereafter he fell ill. It is submitted that

five to six days after lifting the quota of kerosene oil, the

petitioner has distributed the same amongst the consumers.

Thereafter, he became seriously ill and, therefore, the shop

was closed down and during the said period, a raid was conducted by the authorities and some amount of kerosene was recovered. Learned counsel for the petitioner further submits that no offence is made out as all along the petitioner has clean antecedent and there has been no complaint from any quarter regarding the petitioner's dealership.

Having heard learned counsel for the petitioner and considering the submissions advanced on his behalf, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Ganga Bridge P.S. Case No.15 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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