

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50629 of 2016

Arising Out of PS.Case No. -80 Year- 2016 Thana -DAWATH District- SASARAM (ROHTAS)

Paras Nath Choudhary @ Paras Choudhary, son of late Ram Swaroop Choudhary, resident of Ward No. 9, Choudhary Mohalla, Village Kawath, P.S. Dawath, district Rohtas Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Abhinay Raj, Adv.

For the Opposite Party : Mr. Binay Krishna, APP 245

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-11-2016

Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered under Section 7 of the Essential Commodities Act.

The wife of the petitioner had lodged Complaint Case No. 374 of 2016 against the informant, who is the Officer-in-Charge of Dawath Police Station on 26.07.2016. In retaliation of that the present first information report has been lodged with allegation that the petitioner was found selling blue kerosene oil. Submission is that the offence against the petitioner is not applicable, as the petitioner is not public distribution system dealer.

Considering the back ground and allegation, 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 Dawath P.S. Case No. 80 of 2016 to the satisfaction of the Subdivisional Judicial Magistrate, Bikramganj, Rohtas, 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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