

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44508 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -BELHAR District- BANKA

=====

Laxmi Singh @ Laxmi Narayan Singh son of Late Jagdish Singh @ Jagdish Prasad Singh, Resident of Village- Sautadih, P.S.- Belsar, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance:

For the Petitioner/s : Mr. Ajay Kumar Thakur and
Mr. Shashank Shekhar, Advocates.

For the Opposite Party/s : Mr. Ram Chandra Sahani, APP.

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

2 19-09-2017 Heard learned counsel representing the petitioner as well as learned A.P.P. for the State.

The petitioner is seeking regular bail in Behar P.S. Case No. 57 of 2017 registered under Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that the petitioner is being prosecuted in a case under Section 7 of the Essential Commodities Act, the allegation against the petitioner is that in course of selling 50 litres of blue subsidized kerosene oil, the petitioner, who is a dealer, was caught by the villagers. The informant thereafter conducted an inspection of the shop and found that the stocks on account of kerosene oil and rice as also wheat were lacking and, therefore, the allegation is that those were



being sold by this petitioner illegally in the market. The emphasis of the submission is that it is a case under Section 7 E.C. Act in which maximum punishment is one year and the petitioner has almost completed 1 month 20 days in custody, hence, at this stage the petitioner may be granted the privilege of regular bail.

Learned A.P.P. for the State submits that although the allegation against the petitioner is that of selling of subsidized kerosene oil, rice and wheat and shortage in the stocks but so far as the quantum of punishment under Section 7 E.C. Act is concerned the maximum punishment is one year.

Considering the nature of allegations and the facts and circumstances of the case as also the fact that the petitioner has no criminal antecedent, let the petitioner, namely, Laxmi Singh @ Laxmi Narayan Singh, be released on bail on his furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Banka in connection with Behar P.S. Case No. 57/2017, subject to the conditions as laid down under Section 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Dilip, AR

U		T	
---	--	---	--

