

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24523 of 2016

Arising Out of PS.Case No. -25 Year- 2016 Thana -BAIKUNTHPUR District- GOPALGANJ

=====

1. Subham Kumar, Son of Haridwar Prasad, Resident of Dighwa Uttar,
P.S.- Baikunthpur, P.O- Baikunthpur, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vikas Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastry (APP)

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

9 21-06-2017 Heard both sides.

The petitioner apprehends his arrest in Baikunthpur
P.S. case No. 25 of 2016 under Section 7 of the Essential
Commodities Act.

The informant, Block Supply Officer, alleged that the
PDS shop run by the Dighwa North PACS was inspected and out
of 198.50 quintals of rice and wheat supplied to the PACS under
Aantodaya scheme only 29 quintals of rice and 3.5 quintals of
wheat were found in the godown. The godown was closed and it
was informed that the seller was out of station.

The learned counsel for the petitioner submits that
petitioner is the nephew of the Chairman of the PACS and PDS
shop was being run by the PACS. The petitioner has no manner of



concern with the PDS shop. Vide order dated 20.06.2016, the petitioner was granted provisional bail and, at the same time, he was directed to submit the entire papers before the Investigating Officer but no report was submitted. The District Magistrate vide his letter No. 776 dated 28.04.2017 found that the food grains were distributed among the beneficiaries. It is submitted that in pursuance of the order of the District Magistrate the license of the shop was restored as no irregularity was found.

Considering the facts aforesaid, the provisional bail granted to the petitioner vide order dated 20.06.2016 passed in this case is confirmed. The petitioner is allowed to remain on bail on the same bail bonds.

This anticipatory bail petition is, accordingly, allowed.

(Prabhat Kumar Jha, J)

BKS/-

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

