

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14831 of 2017**

Arising Out of PS.Case No. -138 Year- 2016 Thana -JAMOBABAZAR District- SIWAN

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1. Most. Sharmila @ Sharmila W/o Late Krishna Prasad,  
2. Mantu Kumar, S/o Late Krishna Prasad, Both are Resident of Village-  
Bhopatpur, P.S.- Jamo, District- Siwan.

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      04-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest for the offences punishable under Section 7 of Essential Commodities Act.

It has been submitted that there is allegation of selling of PDS food grains in black marketing. A truck was intercepted by the informant at the door of the petitioners carrying 30 bags of food grains. It has been submitted on behalf of the petitioners that the stock register was verified by the local supply inspector and has not found any shortage. Moreover, petitioner no.1 is a licensee holder. Petitioner is no.2 is the son of petitioner no.1.

Heard learned A.P.P. also.



In view of the fact that petitioner no.1 is a lady and PDS dealer and petitioner no.2 is her son, let in the event of their arrest/surrender in the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in Jamo Bazar P.S.Case No.138 of 2016, subject to the conditions as laid down u/s 438(2) Cr.P.C. and with further conditions that the petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of their failure on their part to appear before the police on two consecutive dates, the prosecution shall be at liberty to move for cancellation of their bail bonds and further petitioners will not induce any witness of tamper with the evidence.

**(Vinod Kumar Sinha, J)**

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