

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49386 of 2017

Arising Out of PS.Case No. -109 Year- 2017 Thana -ROSHANGAANJ District- GAYA

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Dinesh Prasad, son of Shibu Nandan Prasad, resident of village Koyari
Bigha, P.S. Bankey Bazar, Distt. Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Tapeswar Sharma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 17-10-2017 Heard learned counsel for the petitioner and the State.
- The petitioner apprehends his arrest in Raushanganj
P.S. Case No. 109 of 2017 instituted for the offence under Section
7 of the Essential Commodities Act.
- It has been submitted that petitioner is a P.D.S. dealer.
This case has been lodged by the informant due to dirty village
politics. It has further been submitted that the stock and sale
register after verification was found correct and no irregularity
was found in the sale register. The statement of some consumers
has been recorded in absence of the petitioner. Those consumers
have later on sworn affidavit that inspection team has taken their
signature and thumb impression on pretext that their allotment of
food-grains will be increased.
- Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Raushanganj P.S. Case No. 109 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sherghati at Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

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(Sanjay Priya, J)

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