

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.117 of 2017

Arising Out of PS.Case No. -573 Year- 2016 Thana -AHIAPUR District- MUZAFFARPUR

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Rajiv Ranjan Singh, S/o Sri Rajesh Prasad Singh @ Rajeshwar Prasad Singh, R/o Village- Manikpur, P.O.- Kalyanpur, P.S.- Paru, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Alok Kumar, Advocate

For the Opposite Party : Mr. Sakir Ahmad(APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Ahiyapur P.S. Case No. 573 of 2016 instituted for the offence under Section 7(i)(a)(ii) of Essential Commodities Act.

It is alleged that during inspection of the shop of the petitioner, the inspecting team made demand of Stock Register, Sale Invoices, Sale Register etc. which was not produced before them by the Proprietor. Thereafter the instant case has been lodged on the suspicion that petitioner is indulging in black marketing of the fertilizers.

It has been submitted on behalf of the petitioner that he was in possession of all the documents, which he has annexed as Annexure-2,3 & 4 in the bail petition. He has further submitted that documents could not be produced because he was not present at the time of inspection. It has been further submitted that there is



no lifting of fertilizers in the month of September and the stock in the shop was nil.

In the written report itself it appears that there is simple allegation against this petitioner that he did not produce the Stock Register, Sale Register, Sale Invoices and other papers. There is no specific allegation of involvement of this petitioner in black marketing. Besides suspicion no any overt act has been alleged against the petitioner. The petitioner is owner of the aforesaid fertilizer's shop. He was not present in the shop at the time of inspection. In the circumstances, prayer of the petitioner for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Ahiyapur P.S. Case No. 573 of 2016, 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 Chief Judicial Magistrate, Muzaffarpur, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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