

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52148 of 2017

Arising Out of PS.Case No. -249 Year- 2017 Thana -TEKARI District- GAYA

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BRIJNANDAN SHARMA @ BRAJNANDAN SHARMA S/o Late
Ramkrit Singh, R/o Village- Mahmadur, P.S.- Tikari (Panchanppur O.P.),
District- Gaya.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binay Kumar

For the Opposite Party/s : Mr. Rajendra Singh Shastriji

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-11-2017 Supplementary affidavit has been filed annexing

affidavits of eleven consumers of Maha Dalit Tola and also a copy

of the order passed in Cr. Misc. No. 42762 of 2017, whereby and

whereunder, one another accused of another P.D.S. shop has been

allowed pre-arrest bail. Let it be kept on the record.

Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the state.

In this application for anticipatory bail the petitioner

apprehends his arrest in connection with Tikari (Panchanpur O.P.)

P.S. Case No. 249 of 2017 for the offence punishable under

section 7 of the Essential Commodities Act, 1955.

Allegedly, at the time of inspection of the P.D.S. shop



of the petitioner the shop was found closed and when statements of the consumers were recorded the petitioner came and then his shop was inspected and his register was not found up-to-date. The consumers complained non supply of commodities to them by the petitioner and sale of the same in the black market.

Submission is of false implication and that statement of none of the consumers was recorded rather on blank paper their L.T.Is. were taken by the authorities and now those consumers have sworn affidavit showing innocence of the petitioner, the stock register and other register of the shop of the petitioner would reveal that there is no anomaly and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

In the facts and circumstances stated above, considering that in similar case other P.D.S. dealer Arvind Singh has been allowed pre-arrest bail by another co-ordinate Bench of this Court and as such the petitioner, in case of his arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M, Gaya



in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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