

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46966 of 2017

Arising Out of PS.Case No. -285 Year- 2017 Thana -BODHGAYA District- GAYA

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Sri Mannu Ravidas @ Sri Munnu Ravidas Son of Doman Ravidas Resident of village- Mastpura, P.S.- Bodh Gaya, District- Gaya, at present working as a P.D.S. Dealer of Chanama Gram Panchayat, Licence No.- 01/2007 at District- Gaya

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party : Mr. Shyameshwar Dayal (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 12-12-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner apprehends his arrest in connection with Bodhgaya P.S. Case No. 285 of 2017, registered for the offence punishable under Section 7 of Essential Commodity Act.

Allegedly, during course of inquiry jointly held by the B.S.O. Belaganj and B.S.O. Gurua, three quintals wheat and sixteen quintals rice was found less in the P.D.S. shop of the petitioner. Further the bags were found stitched by the hand and machine stitched was not found there. Twenty bags rice of low quantity was found kept in the godown and the petitioner did not show any coupon and stock and distribution register.



Submission is of false implication and that the petitioner is a P.D.S. dealer since 2007, no consumer has made any complaint against the petitioner up till now. The petitioner has not black-marketed the food grains. As a matter of fact, the B.S.O Gurua had not made any inquiry on the spot nor they have examined any of the consumers and as the petitioner did not oblige the officers, this false case has been lodged. During investigation, no consumer has come forward to make any complaint against the petitioner which is evident from the case diary.

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

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within 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 learned Chief Judicial Magistrate, Gaya, in connection with Bodh-Gaya P.S. Case No. 285 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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