

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40949 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -KARPI District- JEHANABAD

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1. Akhilesh Prasad, S/o Late Ramchandra Prasad, Resident of Village-
Rampur Khajuri, P.s.-Karpi, District-Arwal.

.... 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 Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 06-09-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Karpi P.S. Case No. 115
of 2017 instituted for the offence under Section-7 of Essential
Commodities Act.

It is alleged in the written report by the informant that
during inquiry from the consumers, it was revealed that this petitioner
and other PDS dealers who have been made accused, used to receive
extra money from the consumers than the fixed rate of the food grains
and also used to supply less quantity of ration.

It has been submitted that total 1916 units are attached with
the shop of the petitioner under PHH and 754 consumers are attached
with the K.Oil and under the Antodaya Scheme, 110 consumers are
attached with the petitioner. It has further been submitted that only 18
consumers are alleged to have made complaint against the petitioner at



the instance of rival group of the petitioner. The vague allegation has been levelled against the petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with in Karpi P.S. Case No. 115 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Arwal subject to condition as laid down u/S 438(2) of the 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.

(Sanjay Priya, J)

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