

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49518 of 2017

Arising Out of PS. Case No.-149 Year-2017 Thana- BARUN District- Aurangabad

Krishna Mohan Singh son of Late Sukhdeo Singh, R/o village- Dighi, P.S.-
Barun, District- Aurangabad..... Petitioner

Versus

The State Of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. MR. MANOJ KUMAR

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

ORAL ORDER

2 18-10-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner apprehends his arrest in connection with
Barun P. S. Case No. 149 of 2017 registered for the offence
punishable under Section 7 of Essential Commodities Act.

Allegedly, in the PDS shop of the petitioner, inspection
was made by the Block Supply Officer, Barun and the stock
register with physical stock was verified then shortage of 2.86
quintal of wheat and 46.79 quintals of rice was detected. During
course of inspection the petitioner disappeared from there.

Submission is of false implication and that due to mistake
of fact the case has been lodged, there is no allegation of black
marketing, even during inspection the consumers were present
in the shop but none of them were inquired by the informant, no
offence under Section 7 of the E.C. Act is made out and as such



the petitioner deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that huge quantity of rice was found shortage from the stock.

In the facts and circumstances stated above, considering the allegation, this Court is not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly, his such prayer stands rejected.

However, the petitioner, if so advised, surrenders and seeks regular bail before the court below, then his prayer of bail shall be considered on its own merit preferably on the same day without being prejudiced by the present order.

(Jitendra Mohan Sharma, J)

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