

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53853 of 2017

Arising Out of PS.Case No. -170 Year- 2017 Thana -PIRPAINTI District- BHAGALPUR

- =====
1. Uday Kumar Mandal
 2. Sushil Kumar Mandal @ Pinki Mandal @ Sunil Mandal, both sons of Dinesh Prasad Mandal, resident of village- Babupur, P.S.-Pirpainty, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Chand Giri, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN

PRASAD

ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and learned Additional Public Prosecutor of the State.

The petitioners are apprehending their arrest in connection with Pirpainty (Bakharpur) P.S.Case No. 170 of 2017, G.R. No. 3147 of 2017 registered for offences punishable under Section 7 of the Essential Commodities Act.

Learned counsel for the petitioners submits that as per allegations, these two petitioners being son of co-accused, Dinesh Prasad Mandal, who happened to be the P.D.S. dealer, were going with the 38.5. Quintal of P.D.S. rice loaded on truck for black marketing, which was intercepted by the informant with the help of co-villagers.



Learned counsel for the petitioners submits that so far as these two petitioners are concerned they have been falsely implicated only because they happened to be son of said Dinesh Prasad Mandal.

On the other hand, learned counsel for the A.P.P. opposes the prayer for anticipatory bail and submits that in the nature of allegations, which is in fact an offence against the society, the petitioners do not deserve privilege of anticipatory bail.

Considering the nature of allegations and the facts stated in the F.I.R. that these petitioners being the son of Dinesh Prasad Mandal were on a tractor loaded with huge quantity of rice and the seized rice was concerned with P.D.S. Dealer, Dinesh Prasad Mandal of Babupur Panchayat and further allegation that they were going to sell the rice by Black Marketing, I am not inclined to grant privilege of anticipatory bail to the petitioner..

The application is accordingly, rejected.

(Rajeev Ranjan Prasad, J)

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