

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14626 of 2017

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Kamlesh Yadav, son of Mukti Prasad Yadav @ Mukti Rai proprietor of M/s Raj Rice Mill, Resident of Village Chainpur, P.O. Bhawanipur Bazar, P.S. Adapur, Dist. East Champaran.

.... Petitioner/s

Versus

1. The Food And Consumer Protection Department Through The Principal Secretary, Bihar at Patna.
2. The State of Bihar through District Magistrate, District East Champaran.
3. The Bihar State Food and Civil Supplies Corporation Limited through its M.D., Bihar at Patna.
4. The District Manager, Bihar State Food and Civil Supplies Corporation Limited, East Champaran, District East Champaran.
5. The District Certificate Officer, East Champaran, Dist. East Champaran.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sumeet Kumar Singh, Adv.
For the State	:	Mr S. Raza Ahmad-AAG5
		Mr. Alok Ranjan, AC to AAG-5
For the BSFC	:	Mr. Shailendra Kr. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 10-10-2017

Heard learned counsel for the parties.

In this case, the petitioner has raised a grievance that the petitioner has been taken in civil prison for non-payment of Rs. 43,62,531.08/-. A proceeding was initiated against the petitioner registered as Certificate Case No. 9/2014-15, for non-depositing the required amount of C.M.R., the Certificate Officer, East Champaran has passed the final order under Section 10 of the P.D.R. Act which has not been challenged by the petitioner till date, failing to make payment of the amount, he has been taken into civil prison.



Let the petitioner be released on bail to the satisfaction of the Certificate Officer, East Champaran. It is made clear that one of the bailors will be his closed family relative but, this benefit will be remain available to the petitioner if the petitioner files an appeal within a period of six weeks from today in terms of Section 60 of the P.D.R. Act, if the petitioner fails to file an appeal within the aforesaid period of six weeks from today, the interim relief, which has been granted to the petitioner, will be treated to have been withdrawn and the Certificate Officer, East Champaran will be at liberty to take action in accordance with law. The petitioner will be at liberty to raise all the points as is available to him.

With the aforementioned observation and direction, this application is disposed of.

Let this order be sent to the District Certificate Officer, East Champaran through FAX at the cost deposited by the petitioner.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.10.2017
Transmission Date	NA

