

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4636 of 2017

Arising Out of PS.Case No. -377 Year- 2016 Thana -UDWANTNAGAR District- BHOJPUR

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Lakshman Chaudhary, son of Late Brij Bihari Chaudhary, Resident of
Village- Belaur, Police Station- Udwant Nagar in the district of Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner apprehends his arrest in connection with
Udwant Nagar P.S. Case No. 377 of 2016 registered for the
offences punishable under Sections 409, 420 of the Indian Penal
Code and Section 7 of the Essential Commodities Act.

Allegedly, the petitioner being PDS Dealer was not
displaying the stock on the display board and further did not
produce stock register, cash memo and Bhugtan Suda Coupon etc.
to the informant and in spite of taking time did not produce the
same. On verification of the stock 240 liters of kerosene oil, rice
and wheat was not available, the petitioner obtained 1692 liter of
kerosene oil from wholesale dealer but within two days in the
stock the same was not found and it is not possible to distribute



1692 liter kerosene oil within two days and as such the petitioner has violated the provisions of the Essential Commodities Act.

Submission is of false implication and that the petitioner has been made victim of circumstances, the stock register, cash memo and Bhugtan Suda Coupon were handed over to the learned Advocate for preparing show cause and as such no intentional disobedience has been committed.

Learned APP opposes the prayer of pre-arrest bail by submitting that in spite of taking time the petitioner did not produce those documents for inspection and stock was not displayed on the display board.

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

(Jitendra Mohan Sharma, J)

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