

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12225 of 2018

Arising Out of PS. Case No.-467 Year-2017 Thana- PARWATTA District- Khagaria

Kavita Kumari, Wife of Late Satendra Chodhary, Resident of Village-Temtha
Karai, P.S.- Parbatta, District-Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. SRI BRAJ KISHORE PRASAD

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned counsels for the petitioner and State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

The prosecution case, as per the written report of Block Supply Officer, Parbatta, submitted to the Station House Officer, Parbatta Police Station is to the effect that on 24.12.2017, at 7.30 PM, the Block Development Officer, Parbatta seized rice loaded on a pickup van being carried by the businessman, namely, Sonu Bhagat and Raghunath Bhagat. It is further alleged that labourer, Fulsan Kumar, who was the driver of the



alleged vehicle, disclosed that 70 bags of rice were purchased from the PDS dealership of the petitioner.

It is submitted by learned counsel for the petitioner that even assuming the accusation, no offence under Section 7 of the Essential Commodities Act is made out. The FIR has been lodged without verification of the stock of the petitioner. However, the petitioner's stock was verified subsequently, but no irregularity was found, statement to that effect has been made in paragraph no. 9 of the petition. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of the co-accused, from whom the recovery has been made.

Considering the fact that the recovery has not been made from the petitioner and the petitioner being a lady, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned SDJM, Khagaria in connection with Parbatta P.S. Case No. 467 of 2017, subject to the condition as



laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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