

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23953 of 2018

Arising Out of PS. Case No.-4 Year-2018 Thana- BELDAUR District- Khagaria

Rajesh Kumar Son of Late Chhotelal Bhagat, Resident of Village-Beldour,
P.S.-Beldour, District-Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : M/s Vijay Anand & Binod Kumar, Advs.

For the Opposite Party/s : Smt Renu Kumari, APP 160

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in connection
with Beldaur P.S. Case No. 4 of 2018 for offence punishable
under Section 7 of the Essential Commodities Act.

The prosecution case as per the written report of the
Block Supply Officer, Beldaur, Khagaria, dated 16.11.2017,
submitted to the Station House Officer, Beldaur, Khagaria, is to
the effect that during the inspection on 03.01.2014 the Public
Distribution System licence of the petitioner was cancelled and
at the time of inspection 45 bags of wheat (22.50 quintals), 26
bags of rice (13 quintals) and 1062 liters of kerosene oil, which
was withdrawn on 13th December, 2013, for distribution, were
recovered. But, after cancellation of the licence there was



misappropriation of this left over stock and in spite of the notice, given to the petitioner, he has not submitted the show cause.

It is submitted by the learned counsel for the petitioner that since the licence was cancelled, the petitioner left his village for livelihood and on the basis of the inspection made on 3rd January, 2014, the First Information Report has been lodged on 08.01.2018.

The learned Additional Public Prosecutor submits that the licence of the petitioner has been cancelled after the inspection and finding that the petitioner made misappropriation in distribution of the food grains of Public Distribution System.

Considering the fact that since the P.D.S. licence of the petitioner has already been cancelled and for the occurrence of 03.01.2014 the First Information Report has been registered on 08.01.2018, the prayer of the petitioner for grant of anticipatory bail is allowed, in the event of surrender/arrest of the petitioner, named above, before the Court below, within four weeks from today in connection with Beldaur P.S. Case No. 4 of 2018 shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate,



Khagaria, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

Shamshad/-

U		T	
---	--	---	--

