

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44826 of 2018

Arising Out of PS.Case No. -167 Year- 2018 Thana -BIKRAM District- PATNA

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Kameshwar Singh, s/o late Mangal Singh, R/o Vill.- Kotari, P.S.- Bikram,
Distt.- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dineshwar Mishra, Advocate.

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Bikram P.S.**

Case No. 167 of 2018 instituted for the offence under Section 7 of
the Essential Commodities Act.

Counsel for the petitioner has submitted that from
perusal of First Information Report itself it is apparent that there is
no mention about which order of Section 3 of the Act has been
violated. Petitioner is PDS dealer and if there is any violation done
by this petitioner, then there is provision of
suspension/cancellation of the license of the PDS dealer and no
criminal case is maintainable against PDS dealer. It has further
been submitted that co-accused Lal Bahadur Paswan has already
been granted anticipatory bail by a coordinate Bench of this Court



vide order dated 31.07.2018 passed in Cr. Misc. 44634 of 2018.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Bikram P.S. Case No. 167 of 2018**, he 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 learned **Additional Chief Judicial Magistrate-IV, Danapur**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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