

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30647 of 2018

Arising Out of PS. Case No.-34 Year-2018 Thana- KHAGARIA District- Khagaria

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Raj Kumar Bajaj, S/o Late Sita Ram Bajaj, Proprietor of M/s Surajmal Mahadev Lal, Wholesale Dealer of Kerosene Oil, Khagaria, P.S.- Khagaria, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned APP
for the 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 which got initiated on the basis of written report dated 23.01.2018 submitted by Block Development Officer, Khagaria to the Station House Officer, Khagaria Police Station is to the effect in pursuance to the order of the District Magistrate, Khagaria, the FIR has been lodged



since the petitioner, being the proprietor of M/s Surajmal Mahadev Lal Kerosine Oil Dealer, used to supply the less quantity of kerosene oil, than the fixed quantity. As a result, during verification the excess quantity of kerosene oil was found in the stock. Hence, it was suspected that the same was kept for black-marketing.

It is submitted by learned counsel for the petitioner that on suspicion the accusation has been levelled. The petitioner submitted a show cause denying the entire allegation, but the District Magistrate, Khagaria without considering the grounds taken by the petitioner canceled his dealership licence. Though, the petitioners' licence was earlier also cancelled in pursuance to Khagaria P.S. Case No.73 of 2016, but it was restored.

It is submitted by learned APP for the State that there is specific accusation against the petitioner.

Considering the fact that the dealership licence of the petitioner has already been cancelled, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Khagaria, in connection with



Khagaria P.S. Case No.34 of 2018, subject to the conditions as
laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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