

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58408 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- AWTARNAGAR District- Saran

-
-
1. Suresh Manjhi, Son of Ram Lochan Manjhi, Resident of Village- Saidpur Jhawa, Police Station- Awatar Nagar, P.O.- Saidpur Jhawa, District- Saran.
 2. Ram Babu Prasad, Son of Late Ramdhani Sah, Resident of Village- Jhuwan Mahuani, Police Station- Awatar Nagar, P.O.- Saidpur Jhawa, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar Roy, Adv. Ms. Anju Kumari @ Anju Narain, Adv. Mr. Anant Kumar Sinha, Adv.
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Awatar Nagar P.S. Case No. 74 of 2018 registered for offences under sections 7 of the Essential Commodities Act.

In the present case, the petitioners are the licensees of the distribution of P.D.S. material, an inspection was made on 21.5.2018 and the shops were found closed. An allegation has been made that the food-grains have not been distributed for two to three months. On re-inspection, both the shops were again found closed.

Learned counsel for the petitioners submits that there is only one allegation against the petitioners that on the date of



inspection, the shops were found closed and there is no allegation of black-marketing. On two occasions, the inspection was made and, on both the occasions, the shops were found closed. He further submits that on both the days of inspection, the shops were found closed on account of the petitioner no.1 being busy with the marriage of his daughter and the petitioner no.2 being busy with the treatment of his wife.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Chhapra (Saran) in connection with Awatar Nagar P.S. Case No. 74 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain present and if they would not present themselves, the privilege of grant of anticipatory bail shall be deemed to have been canceled.

(Shivaji Pandey, J)

rishi/-

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

