

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41665 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- KONCH District- Gaya

Kamlesh Prabhakar, S/o Late Raghunandan Yadav, Resident of Village
Deora, P.S. Konch District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-07-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Konch P.S. Case
No. 169 of 2018 instituted for the offence under Sections 7 E.C.
Act, 1955.

It is alleged in the written report that Block Supply
Officer, Konch, Gaya filed a case making allegation against this
petitioner who is a PDS Dealer that some paper and register
were not found on inspection and several consumers also sent
grievance to District Supply Officer, Gaya.

Learned counsel for the petitioner submits that no
complaint was ever made by any consumer rather the Mukhiya
of Garari Panchayat as well as card holders whose name were
written in report of District Supply Officer have sworn affidavit
that they all have received ration regularly. There is no
discrepancies of ration. In support of aforesaid, typed copy of



affidavit has been annexed as Annexure-2 to this petition.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Konch P.S. Case No. 169 of 2018 to the satisfaction of learned Additional Chief Judicial Magistrate- III, Gaya, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the 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.

(Sanjay Priya, J)

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