

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2170 of 2019

Arising Out of PS. Case No.-117 Year-2018 Thana- SIMRI District- Darbhanga

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Suman Kumar Singh Arun Kumar Singh Vill-Bharathi, P.S-Simri, Distt.-
Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 16-01-2019 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Simri P. S. Case No. 117 of 2018

dated 30.08.2018 instituted for the offences under Sections

7 of the Essential Commodities Act, 1995.

The petitioner, who is a PDS Dealer, is alleged to

have sold 55 liters of kerosene oil to Nitesh Mishra and Nand

Kumar Mishra, who are apprehended by the villagers along

with the sold kerosene oil and the motor-cycles which they

were riding upon.

Learned counsel for the petitioner has submitted



that on such information having been provided to the Block Supply Officer, the PDS shop of the petitioner was sealed. On its reopening, it was found that there was no mismatch in the stock and therefore the allegation that the petitioner sold kerosene oil, meant to be sold in the beneficiaries / customers associated with the PDS scheme, is incorrect. Various others grounds also have been urged by the learned counsel for the petitioner indicating that it was beyond the competence of the Block Supply Officer to have sealed the PDS shop.

In any view of the matter, considering the fact that there was no mismatch in the stock available in the PDS shop of the petitioner and taking into account that the petitioner does not have any criminal antecedents, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Chief Judicial Magistrate, Darbhanga in connection
with Simri P. S. Case No. 117 of 2018 (G. R. No. 2592 of
2018), subject to the conditions as laid down under Section
438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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