

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10623 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- JAGDISHPUR District- Bhojpur

1. Sabir Anasari, S/o Late Noor Mohammad, Resident of Vill- Haradiya, P.S. - Jagdishpur, District - Bhojpur.
2. Asraf Ansari, S/o Sabir Ansari, Resident of Vill- Haradiya, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2019 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.

It is alleged against the petitioners, being the husband and the son of the P.D.S. licensee, Safreen Khatoon that they were selling Kerosene oil of the P.D.S. dealership to some shop keepers when the villagers caught them red handed.

It is submitted by learned counsel for the petitioners that



from the FIR, it does not appear that any verification with regard to the stock of the PDS dealership of Safreen Khatoon was made before lodging of the present case. The thrust of accusation is against the PDS dealer, Nasreen Khatoon, who has been granted the privilege of anticipatory bail by learned Court below itself. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners, being the husband and son of the PDS dealer, have been found misusing the privilege of grant of dealership to Nasreen Khatoon.

Considering the fact that seizure has not been made from the petitioners and thrust of accusation is against the PDS dealer, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned SDJM, Bhojpur, Ara in connection with Jagdishpur P.S. Case No. 239 of 2018, subject to the condition as laid down



under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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