

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15932 of 2015

Arising Out of PS. Case No.-121 Year-2012 Thana- GORAUL District- Vaishali

Paras Nath Singh S/o Late Rama Singh resident of village - Goraul, P.S.
Goraul, District - Vaishali at Hajipur An Ex - P.D.S. Dealer of Goraul -
Bhagwanpur Panchayat, Block - Goraul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Narayan, Advocate
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 17-06-2019

Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has moved the Court under Section 482
of the Code of Criminal Procedure, 1973 for the following relief:

“That this application is directed for quashing the cognizance taken on 01.05.2013 by the Chief Judicial Magistrate, Vaishali at Hajipur arises out of Goraul P.S. Case No. 121 of 2012 dated 27.04.12 registered against the petitioner under section 7 of E.C. Act and pending in the court of learned Judicial Magistrate, Hajipur (Vaishali).”

3. The petitioner is alleged to have been involved in
black marketeering being a PDS dealer.

4. Learned counsel for the petitioner submitted that
initially show cause was issued as to why criminal case be not
lodged and instead license was cancelled due to which he moved
this Court in CWJC No. 717 of 2011 in which by order dated



05.07.2011 cancelling of license was set aside with liberty to initiate fresh proceeding in accordance with law. It was further submitted that till date no proceeding has been started with regard to cancelling of license of the petitioner and in fact he is getting grains and distributing through his shop to the beneficiaries.

5. Learned APP submitted that earlier the Court had interfered in cancelling of the license on the ground that there was no show cause for such cancellation and in the order dated 05.07.2011 it has been observed that show cause was issued as to why criminal case be not instituted. It was further submitted that subsequently another show cause was issued with regard to why proceeding be not initiated against him and upon the show cause being received, considering the same, the police case has been registered.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court does not find any error in the order impugned. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

Anjani/-

AFR/NAFR	
U	
T	

