

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46680 of 2019

Arising Out of PS. Case No.-241 Year-2019 Thana- GARKHA District- Saran

1. BINOD SAH, aged about 35 years, Gender-Male
2. Laxman Sah, aged about 40 years, Gender-Male,
Both Sons of Late Chhathi Lal Sah Resident of Village- Garkha, Police
Station- Garkha, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 29-07-2019 Heard both sides.

The petitioners apprehend their arrest in Garkha P.S.
Case No.241 of 2019 registered under Section 420 of the Indian
Penal Code and under Section 7 of the E.C. Act.

The Block Supply Officer alleged that he got secret
information that Vinod Sah and Laxman Sah, both sons of
Chhathi Lal Sah, have kept huge quantity of kerosene oil in their
godown for black marketing. In pursuance of such, a raid was
conducted and from the godown of the petitioners, 3,300 liters
of kerosene oil was recovered.

The learned counsel for the petitioners submits that
petitioners are not the licensee of P.D.S. shop. No offence under



Section 7 of the E.C. Act is made out. The godown does not belong to the petitioners and there is no material that the petitioners had kept kerosene oil in the aforesaid godown for black marketing but it appears from perusal of the F.I.R. itself that according to the inputs received by the Block Supply Officer, raid was conducted in the godown of the petitioners situated near a market. Huge quantity i.e. 3,300 liters of kerosene oil was recovered and it is alleged that the petitioners had kept kerosene oil for black marketing.

Taking into consideration the fact that the petitioners had kept huge quantity of kerosene oil for the purpose of black marketing without having any license, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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