

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47887 of 2019

Arising Out of PS. Case No.-74 Year-2019 Thana- SIDHWALIYA District- Gopalganj

AJAY KUMAR TRIPATHI Son of Ramjee Tripathi Resident of Village-
Dangsi, P.S.-Sidhwaliya, District-Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Yogendra Prasad Sinha, Advocate
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-11-2019 Heard the learned counsel for the petitioner
and the State.

The petitioner, who is a PDS dealer, seeks bail in anticipation of his arrest in connection with Sidhwaliya P.S. Case No. 74 of 2019 dated 17.04.2019 instituted for the offences under Section 7 of the Essential Commodities Act.

The accusation in the FIR is that on raid in the premises of the shop of the petitioner, he was found to be absent but there were complaints against him that he did not distribute Kerosene Oil to the consumers. This fact was corroborated by the statement of some of the consumers.

Learned counsel for the petitioner submits that the accusation is absolutely vague. It has not been



stated as to which customer had complained and which all customers have not been distributed Kerosene Oil. Only because the petitioner was absent at the time of raid, he has been made accused in this case. In the earlier case which has been lodged against the petitioner, he is on bail.

Considering the vague nature of accusation against the petitioner, he 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 Additional Chief Judicial Magistrate, Gopalganj in connection with Sidhwaliya P.S. Case No. 74 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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