

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50244 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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RANJEET KUMAR, Aged about 38 years, Male, Son of Late Naresh Prasad,
Resident of Village Noorsarai, P.S. Noorsarai, District Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Thakur, Advocate Mr. Pravin Kumar, Advocate Mr. Malay Kumar Choudhary, Advocate
For the State	:	Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-08-2019 Heard Mr. Ajay Kumar Thakur, the learned counsel
appearing on behalf of the petitioner and the learned Additional
Public Prosecutor.

Petitioner apprehends his arrest in Case No.2C4/19
(Nalanda) for the offences allegedly committed by the petitioner
under Section 26(2)(i) read with 59(iii) of the Food Safety and
Standards Act, 2006.

The complainant, Food Safety Officer, took samples of
turmeric powder, coriander powder, chili powder and mustard oil
from the shop of the petitioner and sent the same to the Food analyst,
Bihar, Patna. According to the report of the analyst, turmeric powder
was found to be contaminated in which lead chromate, which is
injurious to health, was found.

Learned counsel for the petitioner submits that besides the
fact that the Food Safety Officer did not collect the samples in proper



way nor sealed the same before sending the samples to the food analyst. It has come that the Civil Surgeon by the order of the District Magistrate, Nalanda lodged a case bearing Bihar P.S. Case No.47 of 2019 under Sections 420 and 419 of the Indian Penal Code and under Sections 7/10/13(2) of the Prevention of Corruption Act against Birendra Kumar, the Food Safety Officer for collecting samples from different shopkeeper, mill owner and collecting illegal money on threat of lodging false case. It is submitted that in fact the percentage of lead chromate in the turmeric powder was not disclosed in the expert report. Even the samples were not collected in accordance with law as prescribed under the Act. Other articles were found proper.

Taking into consideration the facts and nature of allegation made against the petitioner, let petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Biharsharif, Nalanda in connection with Case No.2C4/19 (Nalanda), subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

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