

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50512 of 2019

Arising Out of PS. Case No.-422 Year-2019 Thana- BIHTA District- Patna

Sri Vinay Kumar, son of Late Shivpujan Ram, Jan Vitran Pranali Vikreta,
Licence No. 91/16, Resident of Village- Dolatpur Simeri Bahpura, P.S. Bihta,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Labh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-08-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bihta P.S. Case No. 422 of 2019, registered under Section
409 of the Indian Penal Code and Section 7 of the Essential
Commodities Act, pending in the court of S.D.J.M., Danapur.

The accusation is that in course of inspection of
P.D.S shop of petitioner, it was detected that 30.10 quintal wheat
and 45.15 quintal rice was received on 24.04.2019 by the
petitioner and the same was mentioned in the stock register and
according to distribution register, the food-grains was not
distributed between the beneficiaries and only 21.50 quintal
wheat and 29.00 quintal rice were found in 43 bags and 58 bags



respectively, which clearly indicates about selling of 8.60 quintal wheat and 16.15 quintal rice by the petitioner in black market.

Learned counsel for the petitioner submits that any consumer has not been made complaint against the petitioner about non-distributing the food-grains and petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

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