

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75977 of 2019

Arising Out of PS. Case No.-103 Year-2019 Thana- JALALGARH District- Purnia

Ritesh Kumar Son of Hira Prasad, Resident of Chandan Nagar, Guabbag,
Police Station- Sadar, District- Purnea.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Kumar, Advocate

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking anticipatory
bail in connection with Jalalgarh P.S. Case No. 103 of 2019
registered for the offences punishable under Section 7 of the
Essential Commodities Act.

Learned counsel for the petitioner submits that no
offence under Section 7 of the E.C. Act is made out against the
petitioner as petitioner is not a P.D.S. dealer. The petitioner was
not the owner of the rice, one co-accused Dinesh Prasad is the
owner of the Rice Mill and the alleged Rice belongs to him.
Learned counsel further submits that the rice is not a controlled
item, therefore, the allegation against the petitioner is that he
was involved in black-marketing is false and frivolous and apart



from that there is no independent material to connect the petitioner at this stage in the present case.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it is submission of the petitioner that he is not a P.D.S. dealer and the rice is not a controlled item, therefore, the allegation against the petitioner that he was involved in black-marketing is false and frivolous and apart from that there is no independent material to connect the petitioner at this stage in the present case, in the event of his arrest or surrender within a period of four weeks from today, let the petitioner abovenamed be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Purnea in connection with Jalalgarh P.S. Case No. 103 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from



disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India
without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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