

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24472 of 2020

Arising Out of PS. Case No.-104 Year-2020 Thana- UDAKISHUNGANJ District-
Madhepura

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1. Soni Kumari W/o Shri Rajesh Kumar Resident of Village- Madhuban, P.S.-
Udakishunganj, District- Madhepura.
 2. Rajesh Kumar S/o RamBilash Paswan Resident of Village- Madhuban, P.S.-
Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-10-2020 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in
Udakishunganj P.S. Case No. 104 of 2020 registered for the
offence under Section 7 of the Essential Commodities Act.

As per the prosecution case, a complaint was
received by the officer incharge of Udakishunganj Police Station
that petitioner no. 1, who is P.D.S. Dealer, and petitioner no. 2
(nominee of petitioner no. 1) are distributing half kg less grains
than the fixed quantity to the beneficiaries and as such, he
visited there on 19-04-2020, to verify the allegation made by the
beneficiaries, which was found true and many beneficiaries
supported the complaint during enquiry.



It is submitted on behalf of petitioners that petitioners are innocent and have been falsely implicated in this case. It is further submitted that license of petitioner no. 1 has already been suspended and as such, she has already been sufficiently punished and many of the beneficiaries in course of the investigation have filed an affidavit that they were getting sufficient grains, as per their entitlement.

However, considering the aforesaid facts & circumstances and specific allegation against petitioners, the anticipatory bail application of petitioners is rejected. However, it is observed that if petitioners surrender before the court below and pray for regular bail, the learned court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law.

(Prabhat Kumar Singh, J.)

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