

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28376 of 2020

Arising Out of PS. Case No.-203 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ram Shankar Choudhary @ Ramashankar Choudhary, Gender-Male, Aged about 53 years, Son of Nathuni Choudhary Resident of Village- Binodpur, Ward No. 9, P.S.- Muffasil Singhoul, District- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Rajeev Kumar Labh, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 15-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner is apprehending arrest in connection with Mufassil P.S. Case No. 203 of 2020 for offences under Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that the petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the petitioner would submit that in the instant case which was registered on the complaint of the Block Supply Officer, Begusarai, it is alleged that 4 quintal rice was unauthorizedly sold by the petitioner to Saurav Kumar. Learned counsel submits that in fact, on misconception of facts, the present case was registered



without asking any show cause to the petitioner as he was a licensee of PDS shop. The alleged rice was not kept in FCI marked Jute bags and as such, levelling the allegation against the petitioner that rice was supplied under Public Distribution System is patently false.

Considering the fact that the petitioner has no criminal antecedent and quantity of rice is 4 quintals, the Court is inclined to grant the privilege of anticipatory bail to the petitioner subject to the condition that the petitioner has to deposit Rs.10,000/- in cash. On depositing the amount of Rs.10,000/-, petitioner, above-named, in the event of arrest or surrender within one month from today, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Begusarai in connection with Mufassil P.S. Case No. 203 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deposit of Rs.10,000/- (Rupees ten thousand) shall abide by final outcome of Mufassil P.S. Case No. 203 of 2020.

(Anil Kumar Upadhyay, J)

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