

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40603 of 2020

Arising Out of PS. Case No.-85 Year-2020 Thana- KARAHGAR District- Rohtas

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Kamta Prasad Singh, Son of Late Shiv Narayan Singh, Resident of Village -
Kalyanpur, P.S.- Kargahar, District- Rohtas. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv
Mr. Ajay Kumar Tiwari, Adv
Ms. Preety Kunwar, Adv
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 02-11-2021 Heard learned senior counsel appearing on behalf of the

petitioner, Shri N. K. Agrawal and learned APP appearing on

behalf of the State.

The petitioner apprehends his arrest in connection with

Kargahar P.S. Case No. 85 of 2020 registered under Section 7 of

the Essential Commodities Act.

It has been alleged that the shop of the petitioner was

inspected in presence of Block Development Officer and Block

Supply Officer while the distribution work to the card holders of

the foodgrains was going on. It has further been alleged that

distribution work was not found according to the ePOS machine. It

is also alleged that 15 card holders complained that excess price of

foodgrains was being taken by the petitioner.

Learned senior counsel for the petitioner submits that

accusation was levelled without making complete verification and



he has been operating as a P.D.S dealer since 2007 and no complaint from any corner of the society has been levelled against him till the date of inspection. Learned senior counsel for the petitioner further submits that he is aged about 70 years and has clean antecedent.

Learned APP appearing on behalf of the State, vehemently opposed the prayer for grant of anticipatory bail to the petitioner and states that prima facie case of alleged irregularities is under Section 7 of the Essential Commodities Act is made out against the petitioner and as such his license has also been cancelled.

Considering the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Rohtas at Sasaram in connection with Kargahar P.S. Case No. 85 of 2020 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Purnendu Singh, J)

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