

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10760 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- AKILPUR District- Saran

=====

CHANDRADEO RAI SON OF LATE RAM ISWAR RAI RESIDENT OF
VILLAGE- BISHUNPUR, P.O- MADHOPUR P. S- AKILPUR, DISTRICT-
SARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Adv.
Ms. Preety Kunwar, Adv.
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-12-2021 Heard Mr. N.K. Agarwal, the learned senior

counsel for the petitioner and Mr. Abhay Kumar Roy, the

learned APP for the State.

The petitioner, who is a P.D.S. dealer for last 45
years, seeks bail in anticipation of his arrest in connection
with Akilpur P.S. Case No. 29 of 2020 instituted for the
offence under Section 7 of the Essential Commodities Act.

On the basis of complaint by two of the customers



out of 548 attached with the Public Distribution Shop of the petitioner, a raid was conducted in the shop, in the absence of the petitioner. It has been alleged in the F.I.R. that the person present at the shop did not furnish the books of account and it was found that there was no display board in the business premises.

The learned senior counsel for the petitioner has submitted that the accusation is absolutely vague. The raid was conducted only on the complaint of two of the customers. There was no shortage found by the raiding team in the stock of the petitioner at the time of the inspection. It has also been submitted that the action of raid was a knee-jerk reaction of the authorities in question.

No offence under Section 7 of the Excise can at all be said to have been made out against the petitioner.

Considering the afore-noted arguments on behalf of the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Chapra, in connection with Akilpur P.S. Case No. 29 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

U		T	
---	--	---	--

