

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18863 of 2022**

Arising Out of PS. Case No.-382 Year-2021 Thana- MADHUBANI TOWN District-
Madhubani

Sanjeet Kumar, Son of Late Gokul Prasad Sah, R/O Village- Ward No.-1,
Laheriyaganj, P.O. And P.S.- Madhubani, District- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Suraj Samdarshi, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-04-2022

Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Madhubani Town P.S. Case No. 382 of 2021 for the offence punishable under Section 7 of the Essential Commodities Act, 1955.

It has been contended by learned counsel for the petitioner that on same and similar allegation Madhubani Town P.S. Case No. 357 of 2021 was registered and in that case he has been granted anticipatory bail but, again on the basis of the same facts, second F.I.R. i.e. present case has been lodged.

Learned counsel for the petitioner submits that the



second F.I.R. on the same facts is not maintainable. In support of his submission, he relies upon a recent decision of the Apex Court rendered in the case of *T.T. Antony vs. State of Kerala* reported in **2001 (6) SCC 181**.

Considering the same, this anticipatory application is allowed.

Let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No. 382 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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