

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37328 of 2021

Arising Out of PS. Case No.-35 Year-2021 Thana- RANIGANJ District- Araria

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KAMAL DEO JHA S/o Late Hari Deo Jha @ Haldhar Jha R/o village-
Permanand Pur, P.S.- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Bharat Bhushan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-02-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects as pointed out by the office within a period of four weeks. In the eventuality of non-removal of defects within the stipulated time, office will place the matter before the Bench.

Petitioner apprehends his arrest in a case registered for the offence punishable u/s 7 of the Essential Commodities Act.

The allegation against the petitioner is that he has misappropriated the stock of rice and wheat and disposed of the same in black market.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The present case has been lodged by the informant



without verification of food grains of the PDS shop. The register and godown of the PDS dealer was searched but no fault in the stock register has been found. No incriminating article has been recovered from the conscious possession of the petitioner and merely on suspicion, he has been implicated in this case. It is further submitted by learned counsel for the petitioner that the licence of the PDS shop of the petitioner has been cancelled by the concerned authorities. Petitioner has no criminal antecedent, as also mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, since the licence of the petitioner has already been cancelled, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Raniganj P.S. Case No.35 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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