

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53991 of 2021

Arising Out of PS. Case No.-120 Year-2021 Thana- BELHAR District- Banka

PINTU KUMAR SINGH S/o- Ramadhar Prasad Singh Resident of Village -
Kharaudha, P.S. - Belhar, District - Banka, Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Senior Advocate Mr. Kumar Rajdeep, Advocate Mr. Arvind Kumar, Advocate
For the State	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

6 07-11-2022 Heard Mr. N.K. Agrawal, learned Senior Counsel

assisted by Mr. Kumar Rajdeep, for the petitioner and learned

APP for the State.

The petitioner apprehends his arrest in connection
with Belhar P.S. Case No.120 of 2021, registered for the offence
punishable under Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. It is submitted that the petitioner has got two
criminal antecedents as stated in paragraph-3 of the bail
application. It is further submitted that in both the cases referred
to in para-3 of the bail petition, the Collector, Banka initiated a
proceeding under Section 6A of the E.C. Act and vide order



dated 26.03.1991 was pleased to drop Section 6A proceeding in both the cases and ordered for release of seized rice holding that no case for confiscation of the seized rice is made out (Annexure 8 and 8/1 to the supplementary affidavit). It is submitted by learned Senior Counsel for the petitioner that petitioner is not a PDS dealer, therefore, no case under the provisions of Essential Commodities Act is made out against the petitioner. It is submitted that petitioner never sold or purchased the subsidized rice. It is also submitted that earlier also same type of allegation was made against the petitioner, but in both the cases, the petitioner was granted anticipatory bail by different co-ordinate Benches of this Court.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Banka in connection with Belhar P.S. Case No.120 of 2021, subject to the conditions laid down under Section 438(2) of the



Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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