

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48266 of 2022

Arising Out of PS. Case No.-253 Year-2022 Thana- BASANTPUR District- Siwan

Vijay Kumar Gupta S/o Late Parmeshwar Prasad Resident of Village-
Basauli, P.O. Nabiganj Bazar, Block and P.S.- Basantpur (Lakdi Nabiganj),
District- Siwan.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance:

For the Petitioner	:	Mr. Rajendra Narain, Sr. Advocate
		Mr. Anju Kumari @ Anju Narain, Advocate
For the Opposite Party	:	Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-12-2022 Heard Mr. Rajendra Narain, learned senior counsel for
the petitioner and learned A.P.P. for the State assisted by learned
counsel for the informant.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 7 of the Essential
Commodities Act, 1955.

The allegation against the petitioner, who is a licensed
PDS dealer of a PDS shop, is of keeping the food grains away
from the PDS shop to another premises i.e. 25 meters away
from the PDS shop.

It is submitted by learned senior counsel for the petitioner



that the petitioner has been falsely implicated in this case due to enmity, village and business politics. As a matter of fact, the floor of the whole building required massive repair so that the food grains had been stored at the place very nearby only a few meters away from his house where the PDS items had been safely kept. It is further submitted that on the alleged allegation the licence of the petitioner has been suspended. It is also submitted that not even a single beneficiary of the petitioner's PDS shop has made any complaint against the petitioner about the quantity and quality of the item supplied or about any delay in delivery of items or about his conduct. The petitioner has no criminal antecedent.

Learned APP for the State assisted by learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and materials available on record, 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 Basantpur (Lakdi



Nabiganj) P.S. Case No. 253 of 2022, subject to the conditions
as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

Shahnawaz/-

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