

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34464 of 2015

Arising Out of PS. Case No.-97 Year-2014 Thana- SIKRAUL District- Buxar

Anjani Kant Dubey Son of Late Rama Shankar Dubey Resident of Village -
Tetrahar, P.O. - Sikroll, P.S. - Sikroll, District - Buxar.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Sri Umesh Kumar Circle Officer-cum-Block Supply Officer, Navanagar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Pandey

For the Opposite Party/s : Mr. Jitendra Kumar Singh APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 07-04-2023 Heard the parties.

This application has been filed on behalf of the petitioner for quashing the order dated 20.03.2015 passed by the learned Chief Judicial Magistrate, Buxar in Sikraul P.S. Case No. 97 of 2014 (G.R. No. 3199 of 2014) by which the cognizance has been taken under Section 7 of the Essential Commodities Act.

During investigation it has come that the rice which was being loaded on the tractor in front of the shop the petitioner belong to the shop of the petitioner and this fact has been admitted by the driver of the tractor.

The truthfulness of the allegation can be examined in the trial and not before that.



In my view, the allegation against the petitioner cannot be quashed at this stage.

Accordingly, this application is dismissed with liberty to the petitioner to raise all his grounds at an appropriate stage.

(Sandeep Kumar, J)

Vikas/Shishir

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