

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10207 of 2023

Arising Out of PS. Case No.-95 Year-2022 Thana- MAHKAR District- Gaya

Sri Krishna Das @ Krishana Das Son Of Late Ram Sewak Das R/V- Naili,
P.S.- Mahkar And District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

As per the prosecution case, the license of the P.D.S. shop of the petitioner has been cancelled. The Supply officer issued a letter to him to hand over the remaining wheat of 5736.6 kg and rice of 11995.4 kg to the concerned P.D.S. shop dealer Avinash Jayanti but the petitioner has not handed over the said food grains.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



He submits that in fact the P.D.S. license of the petitioner has been suspended and dismissed, against that dismissal order the petitioner preferred an appeal before the District Magistrate, Gaya. In the said appeal the order of the Sub Divisional Officer, Neemchak Bathani, has been set aside by the Collector, Gaya. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case and the fact that order of dismissal of the P.D.S. license has been set aside by the Collector, 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 Mahkar P.S. Case No. 95 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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