

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35329 of 2017

Arising Out of PS. Case No.-73 Year-2017 Thana- SASARAM NAGAR District- Rohtas

Dilip Kumar Son of Sri Markandey Singh, resident of Village Barhaiya Bag,
P.O. Takiya, P.S. Sasaram T, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh

For the Opposite Party/s : Mr.Sri Madhuranand Jha

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 04-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor.

This is an application for quashing the order dated 29.03.2017 by which the learned Court of S.D.J.M. Sasaram has been pleased to take cognizance under section 7 of the E.C. Act in G.R. No. 229/2007, Tr. No. 2709/2007 arising out of Sasaram (Town) P.S. Case No. 73/2007 and further issued the summons against the petitioner.

The prosecution story in short is that on the written report of one Nand Kishore Ravidas, the Supply Inspector, Sasaran Town, District Rohtas, the officer-in-charge of Sasaram (T) Police Station on 05.02.2007 alleging therein that the Circle Officer, Sasaram has seized the vehicle herein Regd. No. BR. 24B-9911 which was kept in TOP Sasaram. It was informed to



the Circle Officer, Sasaram the vehicle in question was running on L.P.G. Gas. After receiving the information the informant went to the O.P. and enquired the matter. It was found that L.P.G. gas cylinder, of 14.2 Kg was connected with Gas-kit so it violates the provisions of Liquefied Petroleum Gas (Regulation of Supply and Distribution) order 2000.

The petitioner has relied upon the judgment of this Court dated 01.07.2011 passed in Criminal Miscellaneous No. 32054/2008 and has submitted that owners of the other vehicle were also proceeded whose vehicle were seized on the same day along with the petitioner and submitted that in one of the Case this Court has interfered and quashed the proceedings. For the grounds mentioned in order dated 01.07.2012, this application is allowed.

The order dated 29.03.2017, passed by S.D.J.M Sasaram in G.R. No. 229/2007, Tr. No. 2709/2007 arising out of Sasaram (Town) P.S. Case No. 73/2007 is hereby quashed.

(Sandeep Kumar, J)

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