

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33457 of 2023

Arising Out of PS. Case No.-5 Year-2008 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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VIRJU KUMAR @ SIRJU DAS S/O RAM VILASH KUMAR @ VILASI
DAS @ VILASH DAS @ RAM VILASH DAS R/O Rakesh Sweet, Bathua
Buzrug, P.S- Musrigharari, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Shantanu Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 16(1) (1-a) of the Prevention of Food Adulteration Act.

3. The prosecution case is that, the informant who was food inspector took sample of *Bunia Laddu* and *Kalakant* for analysis from the shop of M/S Rakesh Sweet Shop, *Musrigharari*, which has been found adulterated after chemical analysis and this petitioner was the servant of the said shop.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus



in nature. Petitioner is the servant of the said shop and there is no specific overt act against the petitioner. He further submits that the owner of the said shop namely, Rakesh Kumar has been acquitted by the Learned Trial Court in Cr. APP No.01 of 2014. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her 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 G.O. Case No.05 of 2008, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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