

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36859 of 2019**

Arising Out of PS. Case No.-364 Year-2017 Thana- GOPALGANJ TOWN District-
Gopalganj

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BASHIR AHMAD @ WASEER AHMAD Son of Anishul Rahman @ Anisur Rahman Resident of Village - Chuna Gali Islamia Mohalla, Nagar Parishad, Ward No.12, P.S.- and Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Kiran Kumari D/o late Banti Prasad Mehta, Resident of Village - Shanti Nagar, Bettiah, P.S.- Town, Dist.- East Champaran, Presently Block Development officer, Gopalganj Sadar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nafisuzzoha
For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for petitioner and learned
Additional Public Prosecutor.

This application is filed for quashing the order dated 24.09.2018 passed by S.D.J.M. Gopalganj in Gopalganj town P.S. Case No. 364/2017 G.R. No. 3111/2017 by which order the learned S.D.J.M. Gopalganj took the cognizance under Sections 7 of Essential Commodities Act for violation of Public Distribution System Control Order 2001, against the petitioner and issued summon for appearance on 29.10.2018 erroneously.

The short submission of learned counsel for the petitioner is that on the same allegation, the licence of the



petitioner was suspended and the petitioner has challenged the order suspending licence in a writ application vide C.W.J.C. No. 2404 of 2018 and the same has been allowed by this Court on 10.04.2018 and the licence of the petitioner has been restored.

Considering the above, this application is allowed.

The order dated 24.09.2018 passed by S.D.J.M. Gopalganj in Gopalganj town P.S. Case No. 364/2017 G.R. No. 3111/2017 is hereby quashed.

(Sandeep Kumar, J)

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