

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73691 of 2022

Arising Out of PS. Case No.-423 Year-2022 Thana- MADHAURAH District- Saran

Kamla Devi W/O Madan Ray @ Madan Mohan Ray R/v- Agahra, P.S.-
Marhowrah (Gaura O.P.), District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirityunjay Kumar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 05-05-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. and
apprehending her arrest in connection with Marhowrah P.S.
Case No. 423 of 2022 registered for the offences punishable
under Section 7 of the Essential Commodities Act.

The allegation against this petitioner is to involve in
black marketing of rice, wheat and kerosene oil being a PDS
dealer, where 16 bags of rice, 5 bags of wheat and 15 litres of
kerosene oil were seized, as same were not found in terms of
allotment.



Learned counsel appearing on behalf of the petitioner submitted that the alleged recovery was made from the outside of the shop of this petitioner and for said reason petitioner falsely implicated in this case. It is submitted that implication is planned on behalf of one Gunjan Kumar to whom petitioner extended her authority to deal in the activities of her PDS shop as she remains usually ill but as petitioner issued a letter on 21.02.2022 and 31.03.2022 to said Gunjan Kumar to hand over the shop with entire stocks, a written information alleging false fact was given before Block Development Officer Marhowrah, Distt- Saran, which is the basis of present implication. It is pointed out that PDS shop of one Kailash Ram was directed to be seized and grains and stocks as available there was tagged with the shop of petitioner for public distribution. While concluding the argument, it is submitted that petitioner is a lady of clean antecedent.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as petitioner is a lady of clean antecedent, the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two



sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Chapra (Saran)/concerned Court, where the case is pending in connection with Marhowrah P.S. Case No. 423 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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