

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74102 of 2023

Arising Out of PS. Case No.-35 Year-2021 Thana- CHANDRAMANDI District- Jamui

SURENDRA YADAV S/O LATE SHOBHAN YADAV @ SUMAN YADAV
R/O VILLAGE- GUTWAY, P.S- CHANDRMANDIH, BLOCK- CHAKAI,
DISTT.- JAMUI.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE PRINCIPAL SECRETARY,
DEPT. OF FOOD AND CIVIL SUPPLIES, GOVT. OF BIHAR PATNA,
BIHAR
2. DISTRICT MAGISTRATE, JAMUI BIHAR
3. THE S.D.O., JAMUI BIHAR
4. THE ADDITIONAL DISTRICT SUPPLY OFFICER, JAMUI. BIHAR
5. THE BLOCK SUPPLY OFFICER, CHAKAI. JAMUI BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Kumar Mishra
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-07-2024 Heard the parties.

2. The present application has been filed for quashing the order dated 20.12.2022 passed by the learned SDJM, Jamui in G.R. No. 602 of 2021 in connection with Chandramandih P.S. Case No. 35 of 2021.

3. As per the prosecution case, the allegation against the petitioner, who is a PDS dealer, is that he did not distribute the Ration timely and distribute the same among his relatives.

4. The PDS licence of the petitioner was cancelled by the SDM, Jamui which was challenged before the Collector,



Jamui in Supply Appeal Case No. 21 of 2022 and the same was allowed by the District Magistrate, Jamui vide order dated 20.12.2022.

5. The FIR was lodged for the illegalities committed by the petitioner in violation of the terms of the PDS licence.

6. Since the very basis of the registration of the FIR has been set aside, the further prosecution of the petitioner is not warranted.

7. In these circumstances, this application is allowed.

8. Accordingly, the order dated 20.12.2022 passed by the learned SDJM, Jamui in G.R. No. 602 of 2021 in connection with Chandramandih P.S. Case No. 35 of 2021 is hereby quashed.

(Sandeep Kumar, J)

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