

The Court of 2<sup>nd</sup> Dist. & Additional Sessions Judge, Bikramganj, Bihar

A.B.P. NO. 663/2025

Nasriganj P.S. Case no. 342/2025

| Date of Order or Proceeding | Order with the Signature of the Court                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Office action taken with date |
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| 21.04.2026                  | <p>An anticipatory bail petition has been filed on behalf of accused petitioner namely Vikash Kumar Gupta who is apprehending his arrest in connection with <b>Nasriganj P.S. Case no. 342/2025</b>, registered u/s 7 of the Essential Commodities Act.</p> <p>Case has been heard and was posted for an order today. Mrs. Shiwani Riya Ld. counsel on behalf of accused appeared and submitted that applicant is innocent and have not committed any offence and they have falsely been implicated in this case by the informant as a pressure tactics and in order to save his own skin from his liability. He further submits that the petitioner has no concern with the transaction of his deceased father. The petitioner is ready to abide all the conditions of bail. Hence his application for anticipatory bail be allowed.</p> <p>Ld. APP appearing on behalf of State has opposed the anticipatory bail application. He argued that matter of an application has been registered under section 7 of the Essential Commodities Act. Hence the instant anticipatory bail application be rejected.</p> <p>Perused the record of case and material available on record. From perusal it transpires that the instant case has been filed on the written application of informant namely Abhishek Kumar (B.S.O). The instant case has been filed against the petitioner for the offence punishable under section 7 of the Essential Commodities Act.</p> <p>On perusal of Para 12 of case dairy prima facie revels that the petitioner is of clear antecedent. The FIR and case diary shows that the license no 30/2007 has been cancelled due his death but during course of hearing Ld. counsel has produced Bihar Targeted Public Distribution System (Control) Order, 2016 and attracted towards sec 14 (xii) and argued that the petitioner is not duly authorised as by the licensing</p> |                               |

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| Cont.....<br>21.04.2026     | <p>authority as representative of the dead licensee to help him in carrying out the fair price shop business. Sec 14(xii) reads like:</p> <p>Sec. 14 (xii) The licensee in schedule 08 and <b>his representative in schedule 09 shall have identity card issued by the licensing authority.</b> The licensing authority may allow the licensee to have a representative to help him in carrying out the fair price shop business.</p> <p>The prosecution failed to produce such authority the petitioner is duly authorised representative of the dead licensee to help him in carrying out the fair price shop business which creates a shadow over the prosecution version of the case. More over the case is triable by the court of Magistrate.</p> <p>Considering the above enumerated facts &amp; circumstances and lack of criminal antecedent, the prayer for bail of the petitioner <b>stands allowed.</b></p> <p>Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Ld. Court below in the event of arrest or surrender with direction that the petitioner shall cooperate with the trial and make himself available as and when so required and in case of failure, the court shall be at liberty to cancel bail.</p> <p>Let a copy of this order be transmitted to Ld. Court below forthwith. O/C is directed to deposit the record as per rules.</p> <p>(Dictated)</p> <p>2<sup>nd</sup> D &amp; ASJ<br/>Bikramganj</p> |                               |