

Vimal Kumar and anr. Vs. the State of Bihar

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Court : Patna

Decided On : May-11-2012

Appellant : Vimal Kumar and anr.

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.44609 of 2011 Vimal Kumar & Anr. Versus The State Of Bihar with Criminal Miscellaneous No.44762 of 2011 Lala Devi Versus The State Of Bihar

11. 01-2012 Both the above-said Cr. Misc. Cases arise out of Kadamkuan P.S. Case No. 354 of 2011 registered under Sections-272, 273, 420/34, 467, 471 of the IPC and accordingly, both the above-said petitions are being disposed of by this common order. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State. Allegedly, in huge quantity adulterated Ghee were recovered from the house of petitioner in Cr. Misc. No. 44762 of 2011 and petitioners in Cr. Misc. No. 44609 of 2011 are said to be found working as labourers with the petitioner in Cr. Misc. No. 44762 of 2011. The contention of learned counsel for the petitioners is that no offence under Indian Penal Code is made out and if the prosecution story is assumed to be true, then also, the case under Prevention of Food Adulteration Act is made out but without giving 2 any opportunity to challenge the analyst report, the petitioners have been sent to jail and the case has been lodged against them. Considering the aforesaid facts and

circumstances of the case as well as above-stated submission of the parties, let the petitioners, namely, Vimal Kumar, Sudarshan Kumar (in Cr. Misc. No.44609 of 2011) and Lala Devi ((in Cr. Misc. No. 44762 of 2011) are directed to be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Kadamkuan P.S. Case No. 354 of 2011 to the satisfaction of Chief Judicial Magistrate, Patna. (Hemant Kumar Srivastava, J.) AKVishwakarma

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