

# Ritesh Chaudhary vs The State Of Bihar on 2 February, 2021

**Author: Rajendra Kumar Mishra**

**Bench: Rajendra Kumar Mishra**

IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.27938 of 2020  
Arising Out of PS. Case No.-2 Year-2019 Thana- GOVERNMENT OFFICIAL C  
District- Banka

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Ritesh Chaudhary, Son of Shankar Prasad Chaudhary, Resident of Village  
Kakwara House, Gandhi Chowk, P.S.- Banka, District - Banka.

... .. Pet

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA

ORAL ORDER

2 02-02-2021

As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Food Safety Case No. 02 of 2019, registered under Section 59(iii) of the Food Safety and Standard Act, 2006.

The accusation is that grocery shop of the petitioner in the name of M/S Shankar Enterprises was inspected by the Food Inspector and Sample of Turmeric Powder was seized from pockets manufactured by Rakesh Masala Private Limited, Patna High Court CR. MISC. No.27938 of 2020(2) dt.02-02-2021 Village Cheraura Rania, Tohsil Akbarpur Dehat, UP209304. On examination, sample of Turmeric Powder was found sub- standard.

Learned counsel for the petitioner submits that, in fact, petitioner is running the grocery shop in the name of M/S Shankar Enterprises and the sample of Turmeric, as taken by the Food Inspector from Turmeric pockets were the product of Rakesh Masala Private Limited and the petitioner had no

knowledge that Turmeric Powder as contained in the packet is of sub-standard. Further submission is that petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Banka, in connection with Food Safety Case No. 02 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J) Bhardwaj/-

U T Patna High Court CR. MISC. No.27938 of 2020(2) dt.02-02-2021