

# **Pradeep Mandal @ Pradeep Kumar Kashyap vs The State Of Jharkhand .... Opposite ... on 3 March, 2021**

**Author: Rongon Mukhopadhyay**

**Bench: Rongon Mukhopadhyay**

IN THE HIGH COURT OF JHARKHAND AT RANCHI

A.B.A. No. 203 of 2021

Pradeep Mandal @ Pradeep Kumar Kashyap ...

Petitioner

Vs.

The State of Jharkhand

.... Opposite Party

---

CORAM: HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY Through Video Conferencing

---

For the Petitioner : Mr. Rahul Ranjan, Advocate

For the State : Mr. P. K. Appu, A.P.P.

---

Order No. 02

Dated 03rd March, 2021

Heard the learned counsel for the respective sides.

So far as the defects No. 4, 5(e) and 9(iii) are concerned, learned counsel for the petitioner undertakes to remove the same once the situation normalizes. As regards the rest defects, as pointed out by the office, are concerned, the same are ignored.

The petitioner apprehends his arrest in connection with Chitra P.S. Case No. 76 of 2020.

It has been alleged that from the house of the petitioner huge quantity of tobacco products were recovered.

It has been submitted by the learned counsel for the petitioner that the tobacco products were kept by the father of the petitioner. It has further been stated that Section 59(3) of the Food Safety and Standards Act, 2006 is not attracted in the present case as there has been no complaint with respect to any person consuming tobacco products and who has suffered any grievous injury on account of such consumption.

The arguments advanced by the learned counsel for the petitioner with respect to Section 59(3) of the Food Safety and Standards Act, 2006 being not applicable in the present case seems to be justifiable as there has been no complaint whatsoever from any corner that any person has suffered any grievous injury on account of such consumption.

On consideration of the aforesaid facts, I am inclined to extend the privilege of anticipatory bail to the petitioner. The petitioner accordingly is directed to surrender in the court below within a period of four weeks from today and in that event, he will be enlarged on bail, on furnishing bail bond of Rs.10,000/- ( Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Madhupur in connection with Chitra P.S. Case No. 76 of 2020., subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This application stands allowed.

MK

(RONGON MUKHOPADHYAY, J. )