

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29266 of 2016

Arising Out of PS.Case No. -118 Year- 2016 Thana -WAJIRGANJ District- GAYA

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1. Subodh Kumar @ Subodh Prasad S/o Sri Suresh Yadav, resident of
Village- Budhaul, P.S- Wazirganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate.

For the Opposite Party/s : Mr. M.Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 31-08-2016

Heard Mr. Krishna Prasad Singh Sr. Advocate for

the petitioner and Mr. Dayal APP for the State.

Apprehending his arrest in connection with
Wazirganj P.S. case no. 118 of 2016, registered under Section 7
of the E.C. Act, the present application for anticipatory bail is
filed.

The Block Supply Officer lodged the case against
the petitioner who was the PDS dealer having been issued licence
alleging that certain amount of wheat, rice and kerosene oil were
supplied to the petitioner for distribution among the eligible
beneficiaries thereof under Antoday Scheme. The beneficiaries
made a complaint before the Chief Minister whereafter directions
were also issued to the petitioner for distribution amongst the

eligible beneficiaries. The petitioner having defaulted in doing so, his licence was cancelled and the FIR was lodged that during the previous months from November to February the petitioner was allotted certain amount of these items whereupon only 7.5 quintals of rice, 5 quintal of wheat and 242 liters of kerosene oil were returned and the petitioner failed to explain about 30 quintal of wheat, 45 quintal of rice and 753 liter of kerosene oil.

Contention of the petitioner is that on a got up application filed before the Chief Minister, the present prosecution has been launched. All the beneficiaries of Antoday Scheme in course of the investigation have not supported the case. Petitioner is made victim of the circumstances created by the extremist group operating in the area.

Learned APP has opposed the prayer.

Looking to the gravity of the allegation, I am not persuaded to extend him the privilege of anticipatory bail. Petitioner shall surrender and seek regular bail before the Court below.

The application is dismissed.

(Kishore Kumar Mandal, J)

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