

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61920 of 2017

Arising Out of PS. Case No.-140 Year-2017 Thana- AMAUR District- Purnia

Darogi Prasad Yadav, S/o Late Daya Lal Yadav, resident of Village- Telanga,
P.S.- Amour, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. SRI SANJAY KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-12-2017 Heard learned counsel for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under sections 420/34 of the IPC and Section 7 of the E.C. Act.

The prosecution case is that the on the basis of information received from the villagers, 29 quintals of rice packed in gunny bags bearing BSFC mark, were seized while being transported on a tractor. It transpired during investigation that the rice in question were loaded from the PDS shop of the petitioner. The petitioner's PDS shop was inspected, when shortage of 45.20 Kgs. Rice and 17.550 Kgs. wheat was found.

It is submitted by learned counsel for the petitioner that the even the verification report does not suggest that the rice was loaded from the PDS shop of the petitioner and the



accusation has been levelled on mere suspicion. Though the petitioner is PDS dealer since 1985, but it is for the first time that his licence has been cancelled on the basis of such allegation.

Considering the accusation being levelled on the basis of suspicion and the PDS dealership licence of the petitioner being cancelled, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Purnea in connection with Amour P.S. Case No. 140 of 2017.

(Dinesh Kumar Singh, J)

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