

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63407 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- ARER District- Madhubani

Rajeev Kumar Jha Son of late Shyam Kumar Jha Resident of Village-
Kapsiya Post Kapsiya Police Station Arer, Distt.-Madhubani. At present
Chairman pacs and dealer of public Distribution system Kapasiya within
Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar Thakur

For the Opposite Party/s : Mr. Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-12-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 420 read with 120(B) of the Indian
Penal Code and Section-7 of Essential Commodities Act.

The prosecution case, in brief, is that on checking of the
stock register of the applicant/accused, the rice was found
excess in the PDS shop of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been falsely implicated in the present case due to
village politics. The petitioner is a PDS dealer. Four quintals of



rice was recovered from a rickshaw. The name of the petitioner has transpired on the disclosure made by the co-accused. Except for suspicion, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no shortage in the stock register.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Munsif-cum-J.M. Ist class, Benipatti, in connection with Arer P.S. Case No. 116 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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