

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44960 of 2019**

Arising Out of PS. Case No.-99 Year-2019 Thana- BENIPATTI District- Madhubani

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DHANIKLAL SINGH YADAV Son of Sri Lakshmi Yadav Resident of  
Village- Barha, P.S.- Benipatti, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

**Appearance :**

|                          |   |                                                      |
|--------------------------|---|------------------------------------------------------|
| For the Petitioner/s     | : | Mr. Ajay Kumar Thakur, Adv.<br>Mr.Nilesh Kumar, Adv. |
| For the Opposite Party/s | : | Mr.Parmeshwar Mehta, APP                             |

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      22-07-2019                      This application, for grant of anticipatory bail, arises  
  
out of Benipatti P.S. Case No. 99 of 2019, disclosing offences  
  
under Section 7 of the Essential Commodities Act.

Allegation as per F.I.R. is that 16 bags of rice and 2  
bags of wheat were recovered and it was found to be of  
subsidized grain and when the petitioner enquire from the  
petitioner, who is a dealer under Public Distribution System,  
then he assaulted the informant and it is alleged that the  
petitioner being PDS dealer was taking the grain for black  
marketing.

Submission of learned counsel for the petitioner is  
that he has no criminal antecedent and has falsely been  
implicated in this case at the instance of the informant and there



is absolutely nothing to show that the recovered grain is of the PDS shop of the petitioner.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Benipatti, Madhubani, in connection with Benipatti P.S. Case No. 99 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

**(Vinod Kumar Sinha, J)**

sunilkumar/-

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