

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77148 of 2018

Arising Out of PS. Case No.-389 Year-2018 Thana- TRIVENIGANJ District- Supaul

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Anirudh Mandal, Son of Basudev Mandal, Resident of Village Auraha Ward No. 6, P.S. Triveniganj, District Supaul, Presently working as the Chairman of PACS of PDS, Karharwa, Triveniganj, District Supaul.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party : Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 17-01-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Section 7 of the Essential Commodities Act registered in connection with Triveniganj P.S. Case No. 389 of 2018.

3. It is submitted that the petitioner has been falsely implicated merely because he happens to be the Chairman of PACS. It is submitted that kerosene oil was received by the Manager of the PACS, namely, Budhdeo Mandal and not by the petitioner who claims clean antecedents.

4. Learned APP opposes the anticipatory bail petition and submits that there is direct accusation of black-marketing against the petitioner inasmuch as 1860 litres of kerosene oil was found short in the PDS shop of the PACS of which the petitioner is the Chairman. It is submitted that the petitioner has not shown any paper that he had lifted kerosene oil which was properly distributed and as such, he would be responsible if delivery of kerosene oil was received by the Manager. It is further pointed out from the order of the learned Sessions Judge, Supaul from which it is evident that several



witnesses in the case diary have stated that they had not received kerosene oil from the dealer for the month of September 2018, which supports the accusation of black-marketing against the petitioner.

5. Having regard to the nature of accusations and gravity of offence alleged, this Court is not inclined to grant anticipatory bail to the petitioner. The anticipatory bail petition stands dismissed.

(Vikash Jain, J)

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