

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4394 of 2020**

Arising Out of PS. Case No.-201 Year-2019 Thana- THAWE District- Gopalganj

Manna Singh, Son of late Bhekhari Singh, Resident of Village - Indrawa, P.S.-  
Gopalganj Town, Distt - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**

ORAL ORDER

2      28-02-2020                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 420, 409, 379/34 of the Indian Penal Code and Section 7 of Essential Commodities Act.

The prosecution case as per the written report of Block Supply Officer, Thawe submitted to Station House Officer of Thawe Police Station is to the effect that one pickup van was seized along with 38 bags of grains which is alleged to have been illegally sold by the petitioner, being a PDS dealer, consequently, godown of the petitioner was searched and it was found empty.

It is submitted by learned counsel for the petitioner that the stock of October, 2019 was already distributed to the consumers and the stock register has been brought on record, as



Annexure-2. It is further submitted that merely on the basis of suspicion, the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that co-accused Pintu Kumar was apprehended from the pickup van who confessed that he has purchased the grains from the petitioner.

Considering the fact that the stock register bears the signature of Panchayat representatives and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sub-divisional Judicial Magistrate, Gopalganj in connection with Thawe P.S. Case No. 201 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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