

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26097 of 2020

Arising Out of PS. Case No.-198 Year-2020 Thana- LAKHISARAI District- Lakhisarai

SURESH SINGH @ SURESH PD. SINGH S/o - Late Ghutar Singh Resident
of Village- Nadiyawan, P.S.- Lakhisrai (Ramgarh Chowk), District-
Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP.

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-10-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 420, 467,
468 of the Indian Penal Code and Section 7 of E. C.Act.

Informant along with Block Supply Officer, Chanan,
conducted a raid in the P.D.S. shop of Mohan Singh and
conducted an inquiry about the current position of the
distribution in the E. POS machine and inquired about the
receiving of grain by the beneficiaries. During inquiry the shop
of the petitioner was found closed and P.D.S. shopkeeper had
made forged distribution and also issued forged cash memo to
the beneficiaries and grains have been sold in the black market.



It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Petitioner is a P.D.S. shopkeeper and is running his shop about 30 years to the full satisfaction. During the course of aforesaid period no complaint or any irregularities have been made by any authority. The present case has been lodged after delay of 4 days without any explanation. Nothing incriminating has been recovered either from the possession or from the shop of the petitioner and inquiry was not made in the presence of the petitioner. Petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M. or his Successor in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 198 of 2020 (G.R. No. 419 of 2020 subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial



and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Rajiv/veena

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