

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24180 of 2020

Arising Out of PS. Case No.-34 Year-2019 Thana- ROH District- Nawada

CHHOTE LAL SINGH Son of Late Tarni Singh Resident of Village -
Bhandajor, P.O.- Kosi, P.S.- Roh, District - Nawada, and presently residing in
Mohalla - New Area, Durga Mandap, Ward no. 6, Gondapur, P.S./District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh, Adv.

For the Opposite Party/s : Mr. Sameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 17-12-2020 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through virtual court
proceedings.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 7 of the E.C.
Act.

Prosecution case as lodged by the informant is that on
08.01.2019, the petitioner having License No. 11/07 had lifted
food grains under Food Security wheat 26.40 quintal, Rice
39.60 quintal and under Antoday Scheme wheat 8.96 quintal
rise 13.44 quintal of January, 2019. In the meantime, SDM,
Rajauli cancelled the license of PDS shop on the charge of
irregularity. The then Block Supply Officer, Roh had made



inspection of PDS shop of petitioner on 10.02.2019 wherein, in stock, only one bag of rice was found. For physical verification of food grains, stock and distribution registers were demanded but dealer could not produce the same. Accordingly, the FIR has been lodged indicating the aforesaid irregularities of black marketing.

It is submitted by learned counsel for the petitioner that petitioner is innocent and has been falsely implicated in this case. He submits that despite all explanation showing all distribution made properly under supervision of Vigilance Committee with certificate of Mukhia and Ward Member, that the SDO, Rajauli passed the order under Memo No. 67 dated 12.01.2019 canceling petitioner's license No. 11/2007 regarding his PDS shop. He submits that when in garb of said illegal, baseless and mindless cancellation the supply of petitioner's shop has been closed, petitioner challenged the same before this Hon'ble Court in C.W.J.C. No. 6418 of 2019 making the then and present BSO, Roh as party respondent by his name alleging malafide on their party specifically wherein Hon'ble Court vide order dated 13.02.2020 quashed the order of cancellation and directed the SDO to pass fresh order. He further submits that the SDO, Rajauli also restored the license of



petitioner under Memo No. 882 dated 20.05.2020 by passing order in compliance of Hon'ble Court's order dated 03.02.2020.

Learned APP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Nawada in connection with Roh P.S. Case No. 34 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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