

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28262 of 2020**

Arising Out of PS. Case No.-90 Year-2020 Thana- BARBIGHA District- Sheikhpura

Ram Prasad Garai Son of Late Gurushaya Mahto Resident of Village-  
Kishanpur, Police Station- Barbigha, District- Sheikhpura.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Panchanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      04-12-2020                      This matter has been taken up through Video Conferencing.

Let the defects be removed within two weeks after opening of the physical court.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

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

Petitioner is a PDS dealer. Allegation is that he did not distribute the grains to the beneficiaries in the month of March, 2020 and on inspection bags of rice were found from the house of Mr. Vijay Prasad and on that basis it was suspected that



the same was for black marketing.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent. Due to Covid effect the grains were not distributed within time. However, later on it was distributed and the villagers have given in writing, a copy of which is on the record.

Considering the facts aforesaid, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court-below where the case is pending in connection with Barbigha Police Station Case No.90 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

**(Birendra Kumar, J)**

Mkr./-

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