

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24570 of 2020

Arising Out of PS. Case No.-89 Year-2020 Thana- JOGBANI District- Araria

=====

BHIKHARI MANDAL Son of Late Ram Krishan Mandal Resident of Koshi Colony, Ward No.11, P.S.- Bathnaha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma

For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-10-2020 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in Jogbani (Bathnaha) P.S. Case No. 89 of 2020, registered for the offences punishable under Section 420 of the Indian Penal Code and section 7 of the Essential Commodities Act.

Prosecution case in brief is that on the basis of complaint made by the local people, on 31.03.2020, an inspection was done in the shop of PDS dealer, Kosi Consumer Centre. Informant is Block Supply Officer, Forbesganj. During inspection, there was shortage of 26.5 quintals of rice and 17.6 quintals of wheat, as per the reading of POS. Petitioner is



alleged to be the Manager of said PDS centre.

It is submitted that petitioner has been falsely implicated in this case. There is no shortage of food grains as alleged in the complaint. In fact, the same has been distributed among the beneficiary. The mandatory provision of section 100 Cr.P.C has not been followed. This false case has been lodged against the petitioner as there is no cordial relation between the informant and the petitioner. Petitioner has got clean antecedent as mentioned in para 3 of the bail petition.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Jogbani (Bathnaha) P.S. Case No. 89 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

