

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85865 of 2019

Arising Out of PS. Case No.-191 Year-2019 Thana- ATHMALGOLA District- Patna

Pankaj Kumar, Son of Vijay Singh, Resident of Village- West Malahi, P.S.-
Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyanendra Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Athmalgola P.S. Case No.191 of 2019, registered for the offence
punishable under Sections 419, 420 of the Indian Penal Code and
Section 7 of the Essential Commodities Act.

The allegation against the petitioner as per the first
information report is that the Block Supply Officer on the basis of
secret information intercepted one pick up van and recovered a total
quantity of 29 quintals of rice kept in 58 bags from the said pick up
van. It has further been alleged that when the driver of the said pick
up van was intercepted, he disclosed that bags belong to the PDS
dealer, Jitendra Prasad and he was going to deliver the consignment
of rice in favor of Pankaj Kumar, i.e., the petitioner.

Mr. Gyanendra Kr. Singh, learned counsel for the



petitioner submits that the petitioner has falsely been implicated in this case at the behest of Chandra Bhushushan Singh who is also PDS dealer who wanted to implicate another PDS dealer, i.e., Jitendra Prasad in this case. Learned counsel further submits that petitioner is not the PDS dealer and is a private merchant and he is running small departmental store. Learned counsel further submits that petitioner has got no criminal antecedent.

After having heard learned counsel for the parties and taking into consideration the fact that the petitioner is not PDS dealer and his name has transpired on the basis of statement made by the driver of the said pick up van, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh, District-Patna, in connection with Athmalgola P.S. Case No.191 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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