

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85538 of 2019

Arising Out of PS. Case No.-425 Year-2018 Thana- DARIYAPUR District- Saran

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MOHAN KUMAR YADAV @ MOHAN KR. YADAV Son of Dharmdeo
Prasad Yadav Resident of Village- Harna, P.S.- Dariyapur, Dist- Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Dariyapur P.S. Case No. 425 of 2018 for the offence registered under Sections 409 and 420 of the Indian Penal Code and Section 7 of the E.C. Act.

The allegation is regarding discrepancy having been found during the physical verification of the stock of the P.D.S. shop of the petitioner and it was found that the petitioner had not supplied cereal grains etc. to some of the card holders.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the petitioner has been roped in the present case on account



of oblique motives of the informant and others and the fact is that there is no discrepancy in the stock register.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and is not likely to flee away from the investigation or the ensuing trial since he is the owner of a P.D.S. shop, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Dariyapur P.S. Case No. 425 of 2018 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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