

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.85721 of 2019**

Arising Out of PS. Case No.-348 Year-2019 Thana- KATEYA District- Gopalganj

Rajeshwar Ram Son of Late Dahari Ram, Resident of Village - Barachap @  
Bara Chanp, P.O.- Semaria, Block- Panchdeori, P.S.- Kateya, District-  
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**  
**ORAL ORDER**

2      17-02-2020                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Kateya P.S. Case No.348 of 2019 (G.R. No. 3177 of 2019) registered for offence punishable under section 420 of the Indian Penal Code and section 7 of the Essential Commodities Act, 1955.

Allegation has been made against this petitioner that during the period from June 2018 to July 2018, he has committed black marketing of kerosene oil and also allegation that while posted as Peon, he enjoyed the privilege of P.D.S. licensee, which is illegal, not sustainable.

The learned counsel for the petitioner submits that so far the allegation of black marketing of kerosene oil from June 2018 to July 2018 is completely wrong, as the Distribution Register



certified by the Mukhiya and the Block Development Officer reflects that the petitioner has not committed any illegality in commission of black marketing of kerosene oil during the period June 2018 to July 2018 and whatever the amount he had received, he has deposited to the exchequer, Annexure-8 itself shows that he has not misappropriated the government fund.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Gopalganj in connection with Kateya P.S. Case No.348 of 2019 (G.R. No. 3177 of 2019), subject to the conditions as laid down under section 438 Cr.PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

**(Shivaji Pandey, J)**

Mahesh/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

