

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13074 of 2021

Arising Out of PS. Case No.-136 Year-2020 Thana- SARSI District- Purnia

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Bindeshwari Mehta, aged about 57 years, male, Son of Mohan Mehta,
Resident of Masuria, P.S.- Sarsi, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarveshwar Tiwary, Adv.

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 24-12-2021 Heard Mr. Sarveshwar Tiwary, the learned

Advocate for the petitioner and the learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sarsi P.S. Case No. 136 of 2020,
dated 01.10.2020, instituted for the offence under Section 7
of the Essential Commodities Act.

The accusation in the F.I.R. is that 26 bags of



wheat meant to be distributed to targeted beneficiaries was sold in black-market to one Ranjit Mehta. The F.I.R. was registered on the basis of a complaint that 26 bags of wheat are lying in front of the house of aforesaid Ranjit Mehta. When the informant reached the place of occurrence, he found a tractor parked there. The whole occurrence was videographed. Later, the godown of the petitioner was inspected but no shortage was found there. The informant has suspected that because of the videography, the petitioner may have arranged for 26 bags of wheat and would have made the stock up-to-date.

The learned counsel for the petitioner has submitted that he is a P.D.S. dealer of the locality for the last 34 years and no complaint ever has been lodged against him. The accusation against him is based only on presumption. In the absence of any shortage in the stock of the petitioner, all accusations fall to the ground.

It has further been submitted that the wife of the petitioner has also given an application before the Sub-Divisional Police Officer that the informant is trying to falsely



implicate the petitioner in the present case.

Regard being had to the facts afore-stated, the petitioner, in the event of his arrest or surrender before the learned Court below within a period of four weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in connection with Sarsi P.S. Case No. 136 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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