

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3660 of 2021

Arising Out of PS. Case No.-264 Year-2020 Thana- PARSA District- Saran

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DINESH MANJHI SON OF LATE PHULGANI MANJHI RESIDENT OF
VILLAGE - TITRA, POLICE STATION - PARSA, DISTRICT - SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Raj Shekhar
	:	Mr. Anuj Kumar Shrivastava
For the Opposite Party/s	:	Mr. Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-09-2021 Heard the learned counsel for the petitioner and

the learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Parsa P.S. Case No. 264 of 2020 instituted for the offence under Section 7 of the Essential Commodities Act.

The petitioner in his capacity as a Public Distribution Shop owner is alleged to have withheld the free ration meant to be distributed amongst the beneficiaries.

The learned counsel for the petitioner has submitted that the F.I.R. has been lodged on the basis of telephonic information to the informant from the



beneficiaries of the Public Distribution Shop of the petitioner.

It has been submitted on behalf of the petitioner that beneficiaries have been provided with their quota of ration against price and also free of cost as decided by the Government. In fact, the complainants have received such quota of foodgrains which was meant to be distributed free of cost. Their names also find mentioned in the register of the recipients. However, because of the petitioner suffering from diarrhea on the date when an inquiry was made, this fact could not be communicated. Apart from this, it has been submitted that assuming but not admitting the accusation in the F.I.R. to be correct, that would entail civil action against the petitioner in the shape of cancellation of his license. With disputed set of facts, the petitioner ought not to have been made accused in a criminal case.

Considering the afore-noted submissions on behalf the petitioner, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds



of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Chapra, Saran, in connection with Parsa P.S. Case No. 264 of 2020, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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