

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1946 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- FATEHPUR District- Gaya

SONI KUMARI W/o Sanjeev Kumar R/o village- Pakri, P.S.- Fatehpur,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of eight weeks.

The petitioner is apprehending her arrest in a case
registered under Sections 188, 406, 420 of the Indian Penal
Code and 7 of the E.C. Act.

The prosecution case in short is that the accused
person misappropriated and has not distributed the sanctioned
and permitted articles among the customers at appropriate price
meant for public distribution system.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. No physical verification of record has been made nor physical inspection of P.D.S. shop was made by the informant. Merely on presumption, the present case has been instituted. There is no discrepancy in the display board and the stock register of the petitioner. The petitioner is a lady.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Fatehpur P.S. Case No. 47 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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