

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5016 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- ATRI District- Gaya

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Niranjan Kumar, male, aged about 51 years, Son of Late Dam Singh, R/o  
Village- North Kajur, P.S.- Atari, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Dr. Anjani Pd. Singh, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha-1, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2      30-06-2021              This case has been listed at the instance of the  
  
learned counsel for the petitioner, who has filed an affidavit  
that the daughter of the petitioner is to be married on  
05.07.2021 and, therefore, there is an urgency in the  
matter.

Heard Dr. Anjani Prasad Singh, the learned  
  
Advocate for the petitioner and Ms. Puspha Sinha-1, the  
  
learned APP for the State.



The petitioner seeks bail in anticipation of his arrest in connection with Atari P.S. Case No. 101 of 2020, dated 11.04.2020, instituted for the offences under Sections 419 and 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

It has been alleged against the petitioner that he has withheld the *ration* for the month of March, 2020 which was meant to be given to the beneficiaries.

It has been urged on behalf of the petitioner that he has wrongly been made accused in this case. The petitioner is a PDS licensee and by using his ID, 4325 Kgs. of grains has been withdrawn by another person.

The learned counsel for the petitioner has submitted that he, in his capacity as a PDS dealer, has withdrawn only 1700 Kgs. of wheat and 2595 Kgs. of rice worth Rs. 11,185/- and the same has been distributed to the concerned beneficiaries. He has further submitted that the petitioner has also given the name of a PDS licensee who has played truant and notwithstanding the aforesaid fact having been made known to the authorities concerned, he



has been made accused in this case without verifying the facts.

Regard being had to the facts afore-stated, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of eight 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 Addl. Chief Judicial Magistrate-XIV, Gaya, in connection with Atri P.S. Case No. 101 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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