

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3053 of 2022

Arising Out of PS. Case No.-323 Year-2021 Thana- UDAKISHUNGANJ District-
Madhepura

ASHOK PASWAN Son of Shakladi @ Shakaldeep Paswan Resident of
Village - Udakishunganj, Dohatwari, P.S.- Udakishunganj, Distt.- Madhepura.
... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Vijay Anand, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Udakishunganj
P.S. Case No. 323 of 2021 registered under Section 7 of Essential
Commodities Act.

Allegedly, 9.18 quintals of rice and 12.62 quintals of wheat
was found in excess in the PDS shop of the petitioner.

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 in the present case due to mistake of fact. The
petitioner happens to be PDS dealer. Due to miscalculation, the
excess foodgrains was shown by the prosecution. It is further
submitted that the petitioner is ready to deposit an amount of Rs.



25,000/- in the court below which shall be subject to final outcome of the case.

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

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 25,000/- in the court below which shall be subject to final outcome of the case. On doing so, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, shall 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 Sub Divisional Judicial Magistrate, Udakishungan in connection with Udakishunganj P.S. Case No. 323 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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