

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17114 of 2021

Arising Out of PS. Case No.-158 Year-2020 Thana- BIKRAMGANJ District- Rohtas

Kedar Nath Pandey, aged about 63 years (Male), S/o Late Kishun Pandey
Resident of Village- Udhopur, P.S.- Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Adv.

Ms. Preety Kunwar, Adv.

Mr. Anujit Sinha, Adv.

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 07-03-2022 Heard Mr. N.K. Agarwal, learned senior Advocate for
the petitioner and Mr. Ram Priya Sharan Singh for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Bikramganj P.S. Case No. 158 of 2020 dated 24.04.2020 instituted for the offences under Sections 419, 420 and 120(B) of the Indian Penal Code and Section 7 of the E.C. Act.

The petitioner is sought to be prosecuted in this case on the basis of suspicion regarding his involvement in black marketing of the rice as 85 bags of rice were found loaded on a tractor.

The learned counsel for the petitioner has submitted that the bags of rice which have been seized and on the basis of which suspicion has been raised against him, do not belong to him. In fact, somebody else has claimed those bags of rice.

The petitioner had been a P.D.S. dealer, whose license



has now been cancelled because of the institution of the subject F.I.R. He further submits that shortly after the lodging of the F.I.R., the godown of the petitioner was inspected and only six bags of rice was found to be short and that also because of some mismatch/anomaly in the recording in e-POS machine.

Regard being had to the fact that the license of the petitioner has already been cancelled and that seized bags of rice which gives rise to the suspicion regarding the petitioner's involvement in this case has been claimed by another person, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Bikramganj P.S. Case No. 158 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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