

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30449 of 2021**

Arising Out of PS. Case No.-316 Year-2020 Thana- BIHAR District- Nalanda

SUNIL KUMAR @ SUSHIL KUMAR SON OF LATE SHIVNANDAN  
PRASAD Resident of Village - Bhadi Gali, Nai Sarai, P.S.- Bihar, Distt.-  
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Preety Kunwar

For the Opposite Party/s : Mr.A.PP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      24-02-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Bihar P.S. Case no. 316 of 2020 instituted for the offence  
under Sections 420, 406, 467, 468, 471, 188, 269, 270, 271 and  
34 of the Indian Penal Code, Section 51B/57 of the Disaster  
Management Act, and Section 7 of the Essential Commodities  
Act.

As per allegation in the FIR, Petitioner is a P.D.S.  
Delar. A pickup van loaded with 35 bags of wheat and 5 bags of  
rice was intercepted which was being taken for black marketing.  
Driver of the vehicle has disclosed that 15 bags of wheat and 5



bags of rice was loaded from the shop of co-accused Prem Ji and on his direction 20 bags wheat were loaded from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. No rice or wheat were recovered from the house of the petitioner. Similarly situated co-accused, namely, Premji has already been granted anticipatory bail by a different co-ordinate Bench of this Court vide order dated 13.8.2021 passed in Cr. Misc. No. 14571 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bihar P.S. Case no. 316 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nalanda subject to the



conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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