

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45560 of 2021**

Arising Out of PS. Case No.-109 Year-2021 Thana- ALOULI District- Khagaria

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SANJAY KUMAR MANDAL Son of Shatrughan Mandal Resident of Village
- Sanjhauti, P.S.- Alauli, and Distt.- Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Md. Najmul Hodda

For the Opposite Party/s : Mr. J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 30-08-2022 Learned counsel for the petitioner is directed to remove all
the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner as well as Mr.
J.N. Thakur, learned APP for the State.

The petitioner apprehends his arrest in connection with
Alauli P.S. Case No. 109 of 2021, registered for the offences
punishable under Sections 420 of the Indian Penal Code and Section
7 of the E.C. Act.

As per allegation, fourteen bags of rice were seized by the
police which was carried by Raushan Mandal. The persons nearby
including one Kailash Mandal apprised that it was the rice of fair
price shop of the present petitioner. His shop was raided and on
physical verification of his stock, wheat was found only 22 bags
which should be 39 bags. Similarly, the rice was found only 53 bags



and as per the stock it should have been 139 bags.

Learned counsel for the petitioner has submitted that proper verification of the shop of the petitioner was not done. He has also submitted that mother of Kailash Mandal was also a licensee of PDS shop and after her death that shop was attached with the petitioner's shop. He has further submitted that Raushan Mandal has been granted anticipatory bail.

The witnesses have stated that the seized rice was from the shop of the present petitioner and on physical verification the stock was found in lesser quantity. As such, in my view it is not a fit case for anticipatory bail. Accordingly, it is rejected.

Office shall ensure that all defects are removed by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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