

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40393 of 2022

Arising Out of PS. Case No.-57 Year-2020 Thana- MARAUNA District- Supaul

MAHENDRA PRASAD YADAV SON OF SUKDEV YADAV R/O
VILLAGE- KUWATOL, GRAM PANCHAYAT HARARI, P.S.- MARAUNA,
DISTRICT- SUPAUL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 188 of the Indian Penal Code and Section 7 of the E.C. Act.

The informant alleges that during Covid-19, the grains were to be supplied to the beneficiaries for free, but petitioner used to take additional Rs. 3 per kg wheat and Rs. 4 per kg rice and supply to 1 kg less and on search 42 kg wheat and 173 kg rice was found from his PDS.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that police



after investigation submitted Final Form No. 75 of 2020 Dated 03.09.2022 (Annexure-2), the learned trial Court differing with the police report has taken cognizance. Learned counsel next submits that once an investigating agency after investigation has found the petitioner to be innocent sending him to jail at this stage would amount to travesty of justice.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Marauna P.S. Case No. 57 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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