

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68145 of 2021

Arising Out of PS. Case No.-100 Year-2020 Thana- HUSSAINGANJ District- Siwan

AWADH KISHOR PRASAD S/o Late Ram Awatar Prasad R/o Village-
Hathvra, P.S.- Hussainganj, District- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-05-2022 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Hussainganj P.S. Case No. 100 of 2020 for the offence
registered under Sections 419 and 420 of the Indian Penal Code
and Section 7 of the E.C. Act.

The allegation is regarding a raid having been
conducted in the P.D.S. shop of the petitioner whereupon
shortage of food grains was found, after the same was verified
from the E.Pos machine.

The learned counsel for the petitioner has submitted
that the petitioner is innocent, has been falsely implicated in the
present case, is having a clean antecedent and he is languishing
in custody since 27.09.2021. The learned counsel for the



petitioner has further submitted that the petitioner has not engaged in black marketing of food grains but on account of non-supply of electricity, the E.Pos machine was not functional, hence the discrepancy in the stock.

Per contra, the learned counsel for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the period of incarceration of the petitioner herein, I deem it fit and proper to direct for release of the petitioner herein on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Siwan in connection with Hussainganj P.S. Case No. 100 of 2020.

(Mohit Kumar Shah, J)

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