

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72113 of 2021**

Arising Out of PS. Case No.-295 Year-2021 Thana- NARPATGANJ District- Araria

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UMESH MANDAL, Son of Dineshwar Mandal Resident of Village- Paikpar
Ward No. 07, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER**

2 09-06-2022 Heard the learned counsel for the petitioner and the

learned APP for the State.

Learned counsel for the petitioner is permitted to
remove the defect/(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner is apprehending his arrest in connection
with Narpatganj P.S. Case No. 295 of 2021 registered for the
offences punishable under Sections 409, 420/34 of the Indian
Penal Code and Section 7 of the Essential Commodities Act.

As per prosecution case, the informant on a secret
information seized a pick-up van, loaded with 38 bags of rice
and 8 bags of paddy. On enquiry, the driver of the van said that
the same belongs to his uncle (Mama) Vedanand Mandal and
being carried to sale at Narpatganj Bazar.



Learned counsel for the petitioner submits that petitioner is the owner of the seized vehicle and no case is made out against him and he has falsely been implicated in this case. The alleged recovered rice and paddy belongs to one Vedanand Mandal, who has made his claim before the informant. The informant has verified the PDS shop of the locality and no any illegality was found which proves that the alleged seized foodgrains has no any concern with the PDS shop. He further submits that the petitioner is not PDS dealer and has no criminal antecedent.

Learned APP appearing on behalf of the State has opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid submissions made by the learned counsel for the petitioner and the facts and circumstances of the case, let the petitioner, abovenamed, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Araria in connection with Narpatganj P.S. Case No. 295 of 2021, subject to the conditions as laid down under



Section 438(2) of Code of Criminal Procedure.

(Sunil Dutta Mishra, J)

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