

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11180 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- PIYAR District- Muzaffarpur

KANTI DEVI Wife of Hari Baitha Residethn of Village - Simera, P.S.- Pear in
the District of Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends her arrest in a case registered
for the offence punishable u/s 7 of the E.C. Act.

The allegation against the petitioner is that she has
misappropriated and failed to deposit 28605.301 kg of rice and
13529.320 kg of wheat before the Pax Chairman.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. She
has been falsely implicated in this case. Petitioner has no
criminal antecedent. It is submitted that the petitioner is a P.D.S.
dealer and her licence already was cancelled on 07.07.2022 but
due to mistake, the food grains was supplied on 08.07.2022 and
petitioner is ready to return the quantity of rice and wheat which
was not deposited.



Learned APP for the State opposed the prayer for bail.

Considering the submission of learned counsel for the petitioner that the petitioner is ready to return the quantity of rice of 28605.301 kg and wheat 13529.320 kg to the concerned Authority within a period of four weeks from today and having regard to the facts and circumstances of the case, let the above named petitioner, be released on **provisional bail** for a period of three months from today, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Pear P.S. Case No.167 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The provisional bail of the petitioner shall be confirmed by the learned court below itself after three months on showing the receipt of deposit of the food grains before the concerned Authority.

(Anjani Kumar Sharan, J)

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