

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19602 of 2023

Arising Out of PS. Case No.-502 Year-2022 Thana- PATORI District- Samastipur

Yogendra Rajak @ Yogi Rajak, Son of Late Mahabir Rajak, Resident of
Village- Harpur Saidabad, P.S.- Patory, District- Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-06-2023 Heard Mr. Ajay Kumar, learned counsel appearing on
behalf of the petitioner and learned Additional Public Prosecutor
for the State.

The petitioner apprehends his arrest in connection
with Patori P.S. Case No. 502 of 2022 registered for the offence
punishable under Section 7 of the Essential Commodities Act.

The petitioner is a PDS dealer and allegedly he was
found engaged in black-marketing of food-grains. In course of
patrolling, the raiding party seized one Magic van, wherein 25
bags of rice, weighing 12.50 quintals, were found loaded. In
course of investigation when the stock of the godown was
verified by the authority concerned, the shortage of rice was
found.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner has neither concern with the seized vehicle nor it has been verified that the recovered rice is of the PDS shop of the petitioner. It is next submitted that from the seizure list, it appears that the copy of the same was not served to the petitioner or his family members. He further submits that considering the false implication of the petitioner, a public petition has been filed with regard to the fair antecedent of the petitioner and moreover the representative of the public has also put his signature on the same. He lastly submits that the petitioner is a man of fair antecedent.

The aforesaid submissions of the petitioner has been controverted by the learned counsel for the State and submits that during the course of investigation complicity of the petitioner has come in black-marketing the rice.

Regard being had to the submissions made on behalf of the parties and considering the fact that there is no verification report suggesting that the recovered rice belongs to the PDS shop of the petitioner, coupled with his fair antecedent, let the petitioner, above named be, released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of the learned Sub-Divisional Judicial
Magistrate, Samastipur in connection with Patori P.S. Case No.
502 of 2022, subject to the conditions laid down in Section
438(2) Cr.P.C.

(Harish Kumar, J)

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