

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24578 of 2023**

Arising Out of PS. Case No.-180 Year-2022 Thana- GANGTA District- Munger

DINESH KUMAR SON OF SIKANDAR YADAV RESIDENT OF
VILLAGE LALU NAGAR , PS- BELHAR , DIST- BANKA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 19-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Gangta P.S. Case no.180 of 2022 registered under sections 420, 406 and 34 of the Indian Penal Code and section 7 of the E.C. Act.

3. As per the prosecution case, the petitioner who is the driver of the truck was caught with foodgrains which he was carrying for black marketing. No document was produced by him.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Referring to the document enclosed as Annexure-2 to the bail application, it is submitted that the Managing Director-cum-Chairman, Bihar State Food and Civil Supplies Corporation has given an



explanation vide letter dated 24.1.2023 to the effect that due to wrong entry by Data Entry Operator, the number of vehicle was wrongly mentioned. No offence under sections 406 and 420 of the Indian Penal Code nor under section 7 of the E.C. Act is made out against the petitioner who is merely the driver. He is not the PDS dealer. The petitioner is in custody since 3.11.2022 and has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R. wherein the petitioner was caught driving the vehicle carrying grains for the purpose of black marketing, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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