

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35386 of 2023

Arising Out of PS. Case No.-424 Year-2022 Thana- JOKIHAT District- Araria

MD. FIROZ ALAM @ FIROZ ALAM Son of Late Naiyyar Alam Resident of
village - Sisouna, P.S. - Jokihat, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 2 21-07-2023 1. Heard learned counsel for the petitioner and the State.
2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.
3. It is alleged that this petitioner is indulged in black marketing of P.D.S. wheat and rice as on physical verification of the P.D.S. shop of the petitioner total 80.68 quintal P.D.S. wheat and 97.98 quintal of P.D.S. rice was found out of stock, contrary to the status of POS machine.
4. It is submitted on behalf of the petitioner that no irregularity has been committed by the petitioner in the distribution of food grains. Moreover, the shop of the petitioner was inspected by the informant and the stock were found in



accordance with the stock and distribution register, but due to technical fault in POS machine, the stock was not found as per POS machine. It is further submitted that from perusal of the FIR, seizure list this case on, physical verification report, stock register and distribution register, no case under Section 7 of the Essential Commodities Act is made out. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Araria in connection with Jokihat P.S. Case No. 424 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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