

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40403 of 2023

Arising Out of PS. Case No.-332 Year-2022 Thana- BELHAR District- Banka

Smt. Anita Hembrum @ Anita Hembrum Wife Of Mohan Besra Resident Of
Village- Ghutiya, Ps- Belhar, Distt- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends her arrest in connection
with Belhar P.S. Case No. 332 of 2022 registered for the
offences punishable under Section 7 of the Essential
Commodities Act.

3. Learned counsel for the petitioner submits that the
petitioner is a woman having clean antecedent and allegation is
of committing blackmarketing of 37.15 quintals of wheat and
66.60 quintals of rice of NFSA and 24.04 quintals of wheat and
80.20 quintals of rice of PMGKAY Scheme.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case being a
PDS dealer, it is next submitted that the FIR came to be



instituted in haste leading to suspension of her license, it is further submitted that petitioner challenged the suspension of her license before the District Magistrate of the district who interfered with the suspension order and remanded the matter back to the original authority for considering the case afresh. Learned counsel next submits that when the order of suspension stands interfered by the Appellate Authority that in itself demonstrates that the allegations have been alleged in haste without holding a proper inquiry in the matter when there is absolutely no defalcation of any wheat or rice meant for the beneficiaries.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Belhar P.S. Case No. 332 of 2022 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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