

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41735 of 2023

Arising Out of PS. Case No.-373 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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BRAJESH KUMAR BHARTI SON OF MAGHU RAVIDAS RESIDENT OF
VILLAGE- KUNJAVANNA, PS- PIRPAINTY, DISTT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Manoj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 7 of the
E.C. Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.
4. The informant alleges that the wheat and rice stock
was found *Zero* when the PDS shop of the petitioner was
inspected on 03.09.2022, when 5196 kg of wheat and 16481 kg
of rice was received by the petitioner on 17.08.2022 and
13.08.2022 respectively.
5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is
next submitted that the grains were distributed to the
beneficiaries after it was received on 13.08.2022 and



17.08.2022. It is further submitted that the PDS shop of the petitioner was inspected after more than 20 days after receiving the grains by the petitioner. It is next submitted that the shop was inspected on 03.09.2022 and the FIR came to be instituted on 09.11.2022 i.e. after a delay of more than 60 days which casts as aspersion on the case of the prosecution.

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

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court 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 trial court where the case is pending/successor court in connection with Pirpainty P.S. Case No. 373 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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