

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47758 of 2023

Arising Out of PS. Case No.-358 Year-2022 Thana- SAUR BAZAR District- Saharsa

Puja Devi Wife Of Mahendra Ram Resident Of Village - Dhaboli West, P.S.-
Sour Bazar (O.P. Patarghat), District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Sour Bazar (Patarghat O.P.) P.S. Case No. 358 of 2022 dated 26.07.2022, instituted for the offence punishable under Sections 406, 409, 420 of the Indian Penal Code.

3. The prosecution case, in brief, is that Block Supply Officer, Patarghat has alleged about misappropriation of 207.24 quintals of wheat and 395.02 quintals of rice by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and she has been falsely implicated in this case. It is further submitted that in the order of S.D.O., it is clearly mentioned about the explanation given by the petitioner in her show-cause. It is further submitted that during the



lockdown period in COVID-19 pandemic, on account of failure of link of POS machine, the petitioner has distributed the foodgrains amongst the consumers on the basis of distribution register/ration card which was produced before the licensing authority. Learned counsel further submitted that without considering the aforesaid distribution register, the license has been cancelled by the concerned authority. It is further submitted that one line observation has been mentioned in the aforesaid order dated 17.06.2022 passed by S.D.O. Sadar, Saharsa which is annexed as annexure-1 at page 14. It is submitted that on 21.06.2021, the consumer Turi Sada and 117 other consumers of Panchayat Dhabauli West filed an application about the receiving of foodgrains every month and the I.O. has recorded the same during investigation. Lastly, it has been submitted that petitioner has one criminal case against her.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Sour Bazar (Patarghat



O.P.) P.S. Case No. 358 of 2022, she shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Saharsa, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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