

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59655 of 2023

Arising Out of PS. Case No.-316 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Ravindra Paswan Son Of Ramesh Paswan Resident Of Village- Mahuar
Khurd, Po- Sondhi, PS- Buniyadganj, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dularchand Sao Son Of Late Jitu Sao Resident Of Village- Mahuar Nawada,
Post Office-Biju Bigha, P.S. Buniyadganj, District-Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Adv.
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP
For the O.P. No.2	:	Mr. Shivendra Prasad, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 20-12-2023 Heard Mr. Aryan Singh, learned counsel for the
petitioner, Mr. Shivendra Prasad, learned counsel for the O.P.
No.2 and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Buniyadganj P.S. Case No. 316 of 2022 registered for the
offences punishable under Sections 379, 427, 406, 420 and
120B of the Indian Penal Code.

3. The allegation against the petitioner is of obtaining
a licence of PDS dealership by hatching a conspiracy with
co-accused Anwar Hussain.

4. Learned counsel for the petitioner submits that the
petitioner is having the licence of PDS dealership since



13.08.2007 whereas it is alleged that the process for issuance of licence has been started in the year 2008 vide letter no. 4822 dated 05.09.2008. He further submits that even from the complaint case, which is the basis of the present FIR, it appears that the entire allegation revolves around co-accused Anwar Hussain and the only allegation against the petitioner is that he in collusion with co-accused Anwar Hussain has anyhow obtained the licence from the informant. He next submits that the petitioner is a man of fair antecedent and even if the allegation made in the FIR is taken to be true, no case is made out against the petitioner as he is a bona fide P.D.S. licence holder.

5. On the other hand, learned counsel for the State as well as the learned counsel for the O.P. No.2, oppose the bail application and submits that the materials available on record, show the complicity of the petitioner in obtaining a PDS licence by making a manipulation therein.

6. Regard being had to the submissions made on behalf of the parties and taking note of the allegations levelled in the FIR, which revolves around co-accused Anwar Hussain, coupled with the fair antecedent of the petitioner and delay in lodging of the FIR, let the above named petitioner, be released on bail, in the event of his arrest or



surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Judicial Magistrate-VIII, Gaya, in connection with Buniyadganj P.S. Case No. 316 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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