

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70068 of 2022

Arising Out of PS. Case No.-438 Year-2022 Thana- MAHUA District- Vaishali

Rekha Singh W/O Shri Shiva Shanker Singh R/v- Bilandpur, P.S.- Mahua,
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Priyanka Singh

For the Opposite Party/s : Mr.Rajendra Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends her arrest in a case registered for the offences punishable under Section 420 of the Indian Penal Code and section 7 of the Essential Commodities Act.

As per the prosecution case, petitioner being Chairman of PACS-cum-seller of PDS system, misappropriated 99.77 quintal of wheat and 146.66 quintal of rice which is violation of Public Distribution System.

It is submitted that petitioner has been falsely implicated in this case at the instance of his enemy due to political rivalry. The entire allegation is based on the entry made in E-POS machine and the physical verification without



examining the stock register and other connected papers. In fact, there was no deficiency in the proper distribution of the grains by the PACS, therefore, no case under Section 420 of IPC and section 7 of the EC Act is made out against the petitioner. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of her arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 438 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

