

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72600 of 2022

Arising Out of PS. Case No.-567 Year-2022 Thana- ARARIA District- Araria

MURSHID ALAM Son of Siddik Resident of Village- Murballa Chok Ward
No.-01, P.S.- Araria RS, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.N.K. Agrawal, Sr. Adv. Mr.Anand Prakash, Adv.
For the Opposite Party/s :		Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 7 E.C. Act.

As per prosecution case, there was a mismatch in the
quantity of stock as being displayed on the e-PoS machine and
the stock kept in the shop of petitioner. Stocks of .47.32 quintals
of wheat and 99.53 quintals of rice was short in the petitioner's
shop, which shows intention of black marketing of 47.32
quintals of wheat and 99.53 quintals of rice.

It is submitted by learned senior counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
During distribution time the PDS shop was found closed but
according to E-POS machine of the dealer showed food grain



for distribution are sufficient. Not a single beneficiary has complained against the petitioner that they were deprived of their quota of ration. Though there was difference in the stocks and the POS machine but the stock report of the POS machine has not been submitted along with the FIR. The licence of the petitioner has already been cancelled by the concerned Authority. It is submitted that 71.50 quintals of rice was updated online by the petitioner, thus, no irregularity in stocks in his shop has been done. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, 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 six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Araria R.S. P.S. Case No.567/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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