

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19218 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- KHIJARSARAI District- Gaya

Birendra Das S/o Late Nathuni Das Resident of Vil- Naudiha, P.S.
Khizarsarai, District- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Kumar, Mr. Shubhankar Raj, Mr. Tahsin Nayyar Siddiqui, Advocates.
For the Opposite Party/s	:	Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 28-03-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Khizarsarai P.S. Case No. 318 of 2023 instituted under Sections
420 of the I.P.C. and Section 7 of the E.C. Act.

3. Allegation against the petitioner is that he being
the owner of Fair Price Shop under License No. 29/16, he
committed the offence of black marketing of 2516 Kilograms of
wheat and 5876 Kilograms of Rice.

4. Learned counsel for the petitioners submits that the
petitioner is innocent and has falsely been implicated in this
case. It is further submitted that the license of the PDS shop of
the petitioner was cancelled by the authorities. However, the



same was restored by the Additional Collector, Gaya *vide* order dated 30.07.2022. Learned counsel next submits that the alleged incident is of the year 2020 but the FIR has been lodged in the year 2023 having no cogent explanation. Petitioner has no criminal antecedent and he is ready to cooperate with the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Gaya in connection with Khizarsarai P.S. Case No. 318 of 2023, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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