

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31200 of 2024

Arising Out of PS. Case No.-207 Year-2023 Thana- PAROO District- Muzaffarpur

Dheeraj Kumar Singh @ Dheeraj Kumar Son Of Rajeshwar Singh Resident
Of Village - Gyaspur, P.S. - Paroo, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-06-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Paroo P.S. Case No. 207 of 2023 registered under Section 7 of
Essential Commodities Act.

3. The prosecution story, in brief, is that after the death of
PDS dealer of Gyaspur Panchayat namely Lal Babu Singh, his
shop was attached to the shop of this petitioner. It is further
alleged that despite repeated directions petitioner failed to
provide 1460.07 Quintal food grains to the newly PDS dealer
namely Surbhi Kumari.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. Further submission is that the



petitioner is a PDS dealer for the last 13 years and during this period no complain has been made against this petitioner. It is further submitted that as a matter of fact, the petitioner has already handed over EPOS Machine to Surbhi Kumari but due to lack of Godown, the food grains were not handed over to her in apprehension of being damaged and despite the information, neither the department nor the newly licensee PDS dealer Surbhi Kumari took any step. Petitioner is ready to deposit Rs. 5 lac without admitting his guilt.

5. Considering the aforesaid contention made on behalf of the petitioner, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Muzaffarpur (West) in connection with Paroo P.S. Case No. 207 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr. P.C. with direction to the petitioner that :-

i. Petitioner shall deposit Rs. 2,00,000/- (Two Lacs) in the *Nazarat* and will produce the receipt of the same at the time



of furnishing bail-bond in the Court below and thereafter, rest amount i.e. Rs. 3 lacs shall be deposited in three equal installments within a period of six months in the *Nazarat*, failing which, the learned Court below would be at liberty to cancel the bail-bond.

6. It is made clear that this order has been passed only for the purpose of bail, without going into the merit of the case and payment of aforesaid amount shall be subject to the final outcome of the case.

(Prabhat Kumar Singh, J)

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