

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43160 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- PURNAHYA District- Sheohar

Md. Reyaz Ahmad Son of Late Zakir Hussain @ Late Zahir Hussain Resident
of Village - Barahi Jagdish, P.S.- Purnahiya, District - Sheohar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Purnahiya P.S. Case No. 156 of 2023 dated 16.12.2023
instituted for the offence punishable under Section 7 of the E.C.
Act.

3. The prosecution case, in short, is that on the alleged
date of occurrence, the P.D.S. shop of the petitioner was
inspected. As per POS machine, 37.28 quintals rice and 9.29
quintals wheat was found to be available, but on physical
verification only 6 quintals rice was found in the stock. It is
further alleged that 31.28 quintals rice and 9.29 quintals wheat
were not found in the stock.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that only allegation against the petitioner is that there was a shortage of 31.28 quintals rice and 9.29 quintals wheat in the stock of the petitioner. The remaining stock i.e 31.28 quintals rice and 9.29 quintals wheat was stored in another room by the brother of the petitioner and room was locked, and the petitioner had no knowledge about the same. Learned counsel for the petitioner submits that just after the inspection, the petitioner came to know about remaining stock kept in another room. Thereafter, he immediately handed over the food grains to tagged shop keeper. Learned counsel for the petitioner further submits that just because of the institution of the present F.I.R., the P.D.S. licence of the petitioner was cancelled by the order of the S.D.O., Sheohar. The petitioner was made accused in the present case merely on the basis of suspicion. Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of



six weeks from today, in connection with Purnahiya P.S. Case No. 156 of 2023, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sheohar subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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