

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47050 of 2024

Arising Out of PS. Case No.-240 Year-2024 Thana- HILSA District- Nalanda

PARMANAND PRASAD @ PRAMANAND SINGH S/O ANUP SINGH
R/O VILLAGE- GOKHULPUR MILKI, P.S- HILSA, DISTT.- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjaya Nath Tiwari, Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 409 of the
Indian Penal Code as well as Section 7 of the E.C. Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

4. The informant alleges that he went to the PDS shop
of the petitioner on 02.04.2024 and after holding an inquiry
found 23398 Kg of rice along with 13059 Kg of wheat missing,
accordingly, it was alleged that petitioner misappropriated the
food grains.

5. Learned counsel for the petitioner submits that
from perusal of the FIR, it would manifest that the shop of the



petitioner was inspected on 02.04.2024 and the FIR came to be instituted on 09.04.2024 i.e. after a delay of six days which casts an aspersion on the case of the prosecution. It is further submitted that petitioner never misappropriated any food grains nor there is any complaint from any of the beneficiary but on account of technical glitches the e-pos machine showed the said variation. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Hilsa P.S. Case No. 240 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, if the investigating officer of the case files an application bringing to the notice of the learned court



below that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required by the investigating officer, the learned court below shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Further, if the charge-sheet is submitted connecting the petitioner with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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