

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47882 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- ATRI District- Gaya

Manoj Kumar Mandal Son of Yugeshwar Prasad @ Yugeshwar Prasad Sinha
R/O Vill.- Rangpur, P.S.- Atri, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-08-2024 Heard Mr.Sanjeev Kumar, learned counsel for the

petitioner and Mr.Anil Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Atri P.S.Case No.123 of 2024, FIR dated
08.04.2024 registered for the offences punishable under
Section 409 of IPC and Section 7(1)(C) of E.C.Act.

3. The prosecution case, in brief is that, on
06.04.2024 by the order of S.D.O Neemchak Bathani, the
informant conducted an enquiry in the shop of the petitioner
who is PDS dealer and found irregularity and wheat 43652 Kg
and rice 56752 Kg less in go-down. Further alleged that 27
bags of paddy found outside the shop whose owner was said



to be Rambaran Prasad.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned A.P.P. for the State, on other other hand, on the basis of the material available on the record, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that on the basis of the complaint, the P.D.S. Licence of the petitioner was cancelled and the petitioner was directed to hand over 43652 Kg of wheat and 60752 Kg of rice to another P.D.S. Licence Holder, namely, Ranjan Kumar, but the petitioner has not handed over the aforesaid wheat and rice to the P.D.S. Licence Holder, namely, Ranjan Kumar, and he has sold the aforesaid articles in the market.

6. Considering the aforesaid fact and nature of allegation as alleged in the FIR, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Atri P.S. Case No.123 of 2024 pending in the court of learned C.J.M., Gaya.



7. Prayer is refused.

(Rajesh Kumar Verma, J)

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