

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73117 of 2023

Arising Out of PS. Case No.-445 Year-2023 Thana- BIHPUR District- Bhagalpur

SHASHI BHUSHAN PASWAN S/O LATE LAKSHMI PASWAN
RESIDENT OF VILLAGE - JHADAPUR, WEST, WARD NO. 10, P.O AND
P.S- BIHPUR (JHANDAPUR O.P.), DISTT.- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bishwajeet Pandey, Advocate
For the State : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.

3. As per prosecution case, on a complaint a raid was conducted in which 796.16 quintal of rice and 138.78 quintal of wheat was found missing from the godown of the petitioner, who is a P.D.S. shop keeper.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the alleged raid was not conducted in presence of the petitioner and he has been falsely implicated in this case. He further submits that the petitioner was in additional charge of Umesh Rai P.D.S. shopkeeper and grain



was wrongly entered in the F.I.R.. He next submits that during pendency of this case, the petitioner's license has already been suspended vide Memo No. 407 dated 15.07.2023 issued by the learned Sub-Divisional Officer-cum-Anugyapan Officer. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Naugachhia, in connection with Bihpur (Jhandapur O.P.) P.S. Case No. 445 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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