

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73483 of 2023

Arising Out of PS. Case No.-239 Year-2023 Thana- NAUGACHIA District- Bhagalpur

GOPI NATH JHA son of Late Tulsi Jha Village- Simra W.No-6, Ps-
Naugachia Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 09-04-2024 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Naugachia P.S. Case No.239 of 2023, registered for the offence punishable under Sections 420 of the Indian Penal Code and Section 7 of E.C. Act.

3. Allegedly, the petitioner is a P.D.S. Dealer and his license was cancelled vide letter no.703 dated 16.11.2022 by the order of S.D.O., Naugachia. The allegation against the petitioner is that he is involved in the black marketing of food grains.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. He submits that after the cancellation of the license of the petitioner, petitioner



filed a revision application but during the pendency of the said application, the concerned Authority instituted an FIR against the petitioner after a delay of about 8 months after cancellation of his PDS license. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the license of the petitioner has already been cancelled, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Naugachia P.S. Case No.239 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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