

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84516 of 2024

Arising Out of PS. Case No.-253 Year-2015 Thana- MOKAMAH District- Patna

Rajesh Kumar @ Bauna Son of Late Nawal Singh @ Nawal Kishor Singh R/o
Village -Maldiya Tola ward No 11 PS- Mokama Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-12-2024 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Mokama Police Station Case No. 253 of 2015, disclosing offences under Sections 414 of the Indian Penal Code and Section 7 of the Essential Commodities Act, 1955.

3. The prosecution case is that on 26.12.2015, on the basis of secret information, the informant conducted raid at FCI godown, Mokama and found two motor vendors standing there. 8 bags of rice and 15 bags of wheat were kept on the motor vendors, however, the drivers of both the vehicles ran away leaving behind their vehicles. On further search, the informant again found some bags of rice and wheat in the bush. These



bags of wheat and rice were stitched up with machine in order to make black marketing. The matter was intimated to the concerned S.D.O. and he directed to take necessary action. The raiding party, registered the case and prepared seizure list showing recovery of 32 quintals wheat and 6.5 quintals rice along with 2 motor vendor. On inquiry, the nearby people disclosed the name of accused namely, Subodh Singh, Bhakku Singh, Abhinash Kumar and other accused persons involved in black marketing of wheat and rice.

4. Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that though the F.I.R. was registered on 26.12.2015 and the same was forwarded to the court of learned Magistrate after an unexplained delay of three days i.e. on 29.12.2015. He further submits that except suspicion, no other material has been brought on record connecting the petitioner with the offence.

5. Learned APP for the State opposes the anticipatory bail of the petitioner by submitting that after 09 years, the petitioner moved an application for anticipatory bail. He further submits that the petitioner has 19 criminal antecedent.

6. Having regard to the submissions made on behalf



of the parties and taking into consideration the fact that the petitioner is having 19 criminal antecedent and the F.I.R. was lodged long back in the year 2015 and the petitioner has moved before this Court for anticipatory bail on 02.12.2024 that is after 09 years, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, rejected.

(Anil Kumar Sinha, J)

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