

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2176 of 2025**

Arising Out of PS. Case No.-309 Year-2024 Thana- BHAGWANPUR District- Begusarai

Mahesh Kumar S/O Mahendra Pandit R/O Village- Gara Naula, P.S-
Bahgwanpur, Distt.- Begusarai (Bihar).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

Appearance :

For the Petitioner/s : Mr. Kumar Gaurav , Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-03-2025 Heard learned counsel for the petitioner and the
State .

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

3 . As per the prosecution case , informant namely ,
Sonali Singh alleged that on 11.06.2024 , she conducted an



inspection in the PDS shop of petitioner and during physical verification , it was found that there is shortage of 39.04 quintals of wheat and 47.71 quintals of rice in the stock which was inconsistent with the stock details reflected on the petitioner's E – POS machine No. 122200300514.

4. Learned counsel for the petitioner submits that petitioner was PDS dealer and allegation of black marketing of food grains is completely false and fabricated. The alleged raid was conducted behind the back of petitioner and there was no shortage of food grains. F.I.R., has been lodged after the delay of 84 days for which there is no plausible explanation which itself creates doubt over the entire prosecution. Learned counsel orally submits that license of the PDS shop of the petitioner has already been cancelled. Petitioner claims clean antecedent.

5 . Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the fact that license of the petitioner has already been cancelled and he claims clean antecedent, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, 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 the learned



Court of the District & Additional Session Judge – II Begusarai
in connection with Bhagwanpur P.S. case No. 309 of 2024 ,
subject to the conditions laid down under section 482 (2) of
BNSS 2023 .

(Prabhat Kumar Singh, J)

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