

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7192 of 2025

Arising Out of PS. Case No.-176 Year-2024 Thana- TEGHRHA District- Begusarai

Ram Vilash Tanti S/o Shri Tanti Resident of Village- Gaura 2, Ward no. 8,
Police Station- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bihar State Food Corporation, Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvottam Kumar, Advocate
		Ms. Asmita Bharti, Advocate
For the State	:	Mr. Jagdhar Prasad, A.P.P.
For the BSFC	:	Mr. Shailendra Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-02-2025 Heard Learned Counsel for the petitioner, Learned
APP for the State and Learned Counsel for Bihar State Food
Corporation/Opposite Party No.2.

2. The petitioner is apprehending arrest in connection
with Teghra P.S. Case No. 176 of 2024 lodged on 13.06.2024,
for the offences punishable under Sections 406 & 420 of the
Indian Penal Code read with section 7 of the Essential
Commodities Act, 1955.

3. As per the prosecution, FIR has been lodged against
the sole petitioner. It has been alleged in the FIR that petitioner
has violate the provision of Bihar Targeted Public Distribution
System (Control) Order, 2016. It has been further alleged that



69.95 Quintals of wheat and 188.82 Quintals of rice has not been handed over by the petitioner to the concerned seller as well as petitioner has also misappropriated the Government funds by illegal selling of the food grains.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that under compelling circumstances, he could not return the said 69.95 Quintals of wheat and 188.82 Quintals of rice to the concerned seller within specified period and in the meantime, FIR was lodged against him. Counsel submits that petitioner is a true and honest businessman having valid license of 2016 being a Public Distribution System Vendor of Teghra Block and he is ready to return the said 69.95 Quintals of wheat and 188.82 Quintals of rice to the concerned seller. Counsel further submits that after cancellation of his license, petitioner has handed over 1200 Kg. of wheat and 4800 Kg. of rice to the concerned seller and remaining 3795 Kg. of wheat and 9882 Kg. of rice shall be handed over to the concerned seller within three months. Counsel further submits that petitioner has no criminal antecedent.

5. Learned Counsel for Bihar State Food Corporation/Opposite Party No.2 submits that provisional bail



may be granted to the petitioner only after confirmation that he has handed over the remaining 3795 Kg. of wheat and 9882 Kg. of rice to the concerned seller within three months.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that confirmed bail may not be granted to the petitioner.

7. As such, considering the aforesaid facts and circumstances that petitioner is working with Opposite Party No.2 since 2016 and he is ready to hand over the remaining 3795 Kg. of wheat and 9882 Kg. of rice to the concerned seller within three months, this Court hereby grants provisional bail to the petitioner for three months, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with Teghra P.S. Case No. 176 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

8. Trial Court is directed to confirm the provisional bail of the petitioner only after verification from the office of Bihar State Food Corporation/Opposite Party No.2 that petitioner has handed over the remaining 3795 Kg. of wheat and



9882 Kg. of rice to the concerned seller within the said period.

9. In case, it has been found that the petitioner has not handed over the remaining 3795 Kg. of wheat and 9882 Kg. of rice to the concerned seller within three months from today, then in that case, provisional bail granted to the petitioner by this Court shall not be confirmed and in that event, petitioner shall surrender before the Trial Court and then pray for regular bail.

(Dr. Anshuman, J)

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