

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8500 of 2025

Arising Out of PS. Case No.-456 Year-2024 Thana- MAHNAR District- Vaishali

Sanjeet Kumar S/o Late Ram Babu sah R/o vill - Ashopur, P.S.- Danapur,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N K Agrawal , senior Advocate Mr. Kumar Rajdeep, Advocate Mr. Arvind Kumar , Advocate
For the Opposite Party/s :		Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 16-04-2025 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 & Section 316 (5) and 3(5) of the BNS.

3 . As per the prosecution case , on 04.12.2024 at about 07:30 PM, when the shop of the co-accused Pradeep Kumar Chaudhary was closed, an inspection was made and the authorities sealed the PDS shop of the co-accused Pradeep Kumar Chaudhary . On 05.12.2024 at about 02:00 PM after breaking the lock of sealed shop , an inspection of shop was made and it was found that 179 bags (89.50 quintals) rice is kept in the shop but in the E – Posh Machine there was display



of 1 kg rice and 4 kg wheat and in the E – Posh Machine of another PDS dealer Ram Das Shah tagged in the shop of co-accused Pradeep Kumar Chaudhary 2 kg rice 5 kg wheat was shown and it is alleged that the stock found in excess in the shop of co-accused Pradeep Kumar Chaudhary and it was suspected that it was kept for the purpose of black marketing. It is further alleged that the son of the co-accused Pradeep Kumar Chaudhary disclosed that the delivery of rice found in the shop was delivered by the BSFC on 04.12.2024 but the BSFC portal doesn't mention the said delivery . It is further alleged that this petitioner, along with other co-accused persons, kept 179 bags (89.50 quintals) of rice for the purpose of black marketing.

4. Learned counsel for the petitioner submits that petitioner was AGM of godown and he has no concern with the shop or seized article . The inspection was done in the absence of this petitioner. It is further submitted that only on the basis of suspicion surmises, and conjectures, this present false and concocted case has been lodged against this petitioner. It is further submitted that the authorities have wrongly presumed that rice was kept by petitioner for the purpose of sale in black marketing. Moreover, co-accused Pradeep Kumar Chaudhary who is the PDS dealer has already granted bail this Hon'ble



Court vide order dated 20.02.2025 in Cr. Misc. No. 10657 of 2025 . Petitioner claims clean antecedent.

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

6. Considering the aforesaid facts and circumstances of the case , 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 CJM Mahnar in connection with Mahnar P.S. case No. 456 of 2024 , subject to the conditions laid down under section 482 (2) of BNSS 2023 .

(Prabhat Kumar Singh, J)

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