

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18098 of 2025

Arising Out of PS. Case No.-123 Year-2024 Thana- ATRI District- Gaya

Manoj Kumar Mandal Son of Yugeshwar Prasad @ Yugeshwar Prasad Sinha
Resident of Village- Rangpur, P.S.- Atri, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-06-2025 Heard Mr. Dharendra Kumar Sinha, learned
counsel for the petitioner and Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
11.12.2024 in connection with Atri P.S. Case No. 123 of 2024,
F.I.R. dated 08.04.2024 for the offences punishable under
Sections 409 of the Indian Penal Code and Section 7 of the E.C
Act.

3. According to prosecution case, the petitioner was a
PDS licensee holder and on search 43652 kg of wheat and
55752 kg of rice were found missing from the godown.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that the



allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that the petitioner is the PDS licensee and his license was cancelled by the authority concerned and he was directed to handover 43652 kg of wheat and 55752 kg of rice to another PDS dealer, namely, Ranjan Kumar but the petitioner has not handed over the aforesaid grains to Ranjan Kumar rather he sold them in the market. He further submits that although there is specific allegation against the petitioner but he is in custody since 11.12.2024 and the trial has not began as yet.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, above named, be released 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 Chief Judicial Magistrate, Gaya in connection with Atri P.S. Case No. 123 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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