

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25377 of 2025**

Arising Out of PS. Case No.-216 Year-2024 Thana- YADOPUR District- Gopalganj

Sri Ramji Prasad @ Rajmi Prasad S/O Late Raghav Sah R/O Vill.- Jadopur
Sukul, P.S.- Yadavpur, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Kumar Rajdeep, Advocate Mr. Arvind Kumar, Advocate Ms. Diksha Kumar, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 19-04-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Sections 316(2), 318(4) of the Bharatiya Nyaya Sanhita and Section 7(1) of the Essential Commodities Act.

3. Prosecution case, in brief, is that PDS shop of the petitioner was inspected on 19.12.2024, whereupon, 169.01 quintal wheat and 341.07 quintal rice was being displayed on the ePOS machine but during physical verification, no wheat and rice was found in the shop. It is alleged that this petitioner sold the aforesaid foodgrains in black market.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence. Petitioner is a PDS dealer since 1995 and no one has ever raised any complaint against him. There were some irregularities in the ePOS machine of this petitioner for which he had filed representation before the District Supply Officer, Gopalganj (Annexure-2). He further submits that after lodging of the present case, SDO, Gopalganj *vide* his letter dated 20.01.2025, stopped supply of foodgrains in the shop of petitioner and tagged his customers with another PDS dealer (Annexure-6) as such, PDS shop of the petitioner has been closed. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the fact that PDS shop of the petitioner is closed and he bears clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of eight weeks from today, 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 Sub-Divisional Judicial Magistrate, Gopalganj in connection with Yadavpur P. S. Case No. 216 of 2024, subject to condition as



laid down under Section 482(2) of the Bharatiya Nagarik
Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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