

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54074 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- Bankebazar District- Gaya

Devendra Paswan S/o Ganesh Paswan R/o Vill.- Dongila, PS- Bankey Bazar,
Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Binay Kumar, Advocate
	:	Mr. Avinash Gaurav, Advocate
For the Opposite Party/s	:	Mr. Nityanand Tiwari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 12-11-2025 Heard Mr. Binay Kumar, learned counsel for the
petitioner and Mr. Nityanand Tiwari, learned APP for the State.
Perused the case diary.

2. The petitioner seeks bail in connection with Bankey
Bazar P.S. Case No. 53 of 2025 instituted for the offences under
Sections 316(5), 318(4) of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case, in short, is that the petitioner is
alleged to have sold food grains meant for distribution in the
black market, as a large shortage of wheat and rice was found in
his shop during inspection.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is no any direct



evidence against the petitioner to indulge him in black marketing in open market and the present case has been lodged only on the basis of the reading of E. POS machine for the stock available without any physical or manual verification through the stock and sale of the PDS Shop. Learned counsel, in support of his submission, has also annexed the judgment passed by the Division Bench of this Court. It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bankey Bazar P.S. Case No. 53 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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