

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55875 of 2025

Arising Out of PS. Case No.-340 Year-2025 Thana- AURANGABAD TOWN District-
Aurangabad

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Santu Kumar @ Santu Chaudhari S/o Late Jaglal chaudhar R/o Azad nagar,
Tikri Road, Ward no. 14, Aurabgabad, P.S. - Town, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Singh, Advocate

For the State : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2025 Heard Mr. Ashok Singh, learned counsel for the

petitioner and Mr. Bharat Bhushan, learned APP representing

the State.

2. The petitioner is apprehending his arrest in
connection with Town P.S. Case No. 340 of 2025 registered for
the offence under Sections 7 of the Essential Commodities Act,
1955, lodged on 03.06.2025 by the informant, Rajnish Kumar.

3. As per the prosecution story, the informant alleged
that upon first inspection of the PDS shop of Kedar Prasad on
20.03.2025 whereafter second inspection was done on
05.04.2025 when it was found open, the stock which otherwise
should have 988.95 quintol Rice and 372.09 quintol Wheat, it
was found nil. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the
PDS license is in the name of Kedar Prasad, and nominee his
wife Binda Devi was present, he is a only salaried staff, has no



business in either the absence of the food grain and/or the alleged inspection, was not even present in the shop but stands implicated with the license holder and his wife. The last submission is that he has clean antecedent.

5. Learned APP opposes the prayer for bail submitting that he being part and parcel of the said PDS Shop cannot exonerate himself from the alleged occurrence of siphoning of huge quantity of Rice/Wheat.

6. Considering the submissions of the parties as also that the main allegation is against the PDS license holder, this petitioner claims himself to be a salaried staff, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Town P.S. Case No. 340 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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