

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63065 of 2025

Arising Out of PS. Case No.-80 Year-2025 Thana- DHORAIYA District- Banka

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Keshav Kumar Yadav S/o Late Narsingh Prasad Yadav @ Narsingh Yadav
Resident of Village-Ghasiya, Banthi, P.S-Dhoraiya, District-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav, Advocate

For the State : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 10-12-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dhoraiya P.S. Case No. 80 of 2025 registered for the offence under Sections 316(5) and 318(4) of the B.N.S. and section 7 of the E.C. Act, 1955, lodged on 12.03.2025 by the informant, Kumari Abha Anand.

3. As per the prosecution story, the informant alleged that the petitioner was hold a P.D.S. Shop but the allegation is that after the cancellation of the license, he failed to return the food grains/Posh Machine to the attached P.D.S. Shopkeeper. This led to the F.I.R.

4. Learned counsel for the petitioner submits that against the cancellation of the P.D.S. License, he moved before this Court in CWJC No. 1080 of 2025 (Keshav Kumar Yadav vs. The State of Bihar and Ors.) which came to be disposed of on 01.09.2025 (Annexure-A series to the petition). The order in question was quashed and the petitioner has been given an



opportunity to appear before the Sub-Divisional Officer, Banka who shall be hearing him and will be taking the matter to its logical conclusion.

5. The submission is that he would like to return the last piece of grain of the government, if the P.D.S. License is again canceled, he is also ready to explain about the left over grains that was present in his canceled P.D.S. Shop.

6. Learned APP opposes the prayer submitting that he failed to provide the food grains to the attached P.D.S. Shop.

7. Allegation is there, the P.D.S. License that was canceled, the order now stands quashed by the coordinate Bench of this Court as recorded above, petitioner has been granted an opportunity to explain his case before the Sub-Divisional Officer, Banka. In that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. However, the petitioner will have to show his bonafide and shall be appearing before the Sub-Divisional Officer, Banka on 22.12.2025 whereafter the concerned officer shall be free to fix date to hear him and pass an appropriate order as directed by the Court earlier in CWJC No. 1080 of 2025.

9. 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 Sub-Divisional Judicial Magistrate, Banka, in connection with Dhoraiya P.S. Case No. 80 of 2025 subject to 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 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;

(iv) 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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