

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65592 of 2025

Arising Out of PS. Case No.-409 Year-2024 Thana- GURUA District- Gaya

Rameshwar Yadav S/O Cheta Yadav Resident of Village- Usewa, P.S.- Gurua,
Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C.Verma, Sr. Adv
Mr. Arvind Kumar, Adv
Mr. Adrash Singh, Adv
For the Opposite Party/s : Mr. Pushpa Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 19-09-2025 Heard learned counsel for the petitioner, and
learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Gurua P.S.Case No. 409 of 2024 registered for the offences
punishable under Sections 409 of 2024 of the Indian Penal Code
and section 7 of the E.C. Act

3. As per the prosecution case, the Block Supply
Officer- the informant has alleged that he raided the PDS shop
of the petitioner, the same was found closed and when the lock
was opened, it was found that there was no bag of rice and
wheat kept in store rooms, however, from the EPOS machine,
it was expected that there must have been 24011kg of rice and
89558 kg of wheat in the storage.



4. Learned senior counsel for the petitioner submits that the petitioner is innocent and the case has been lodged merely on suspicion. The learned senior counsel next submits that it has been assumed by the informant that the said rice and wheat was sold in the market by the petitioner, however, no documents were taken into account before coming to such conclusion. It has further been submitted that there has been no complaint against the petitioner by the consumers of the area and the informant has never been checked whether the consumers/ beneficiaries had received the rice and wheat or not. It has lastly been submitted that the petitioner has clean antecedent.

5. Learned APP for the State vehemently opposes the anticipatory bail and submits that petitioner was found to have been black marketing of wheat and rice. It is further submitted that the stock was not found in the shop of the petitioner.

6. Considering the aforesaid submission, facts and circumstances of the case, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the



satisfaction of the learned Court below where the case is pending/successor court in connection with Gurua P.S.Case No. 409 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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.

(vi) The petitioner shall present himself before the Block Supply Officer along with all the records and proof of the supply made to the alternate beneficiaries and shall co-operate in the investigation of the present case.

7. Accordingly, the prayer for anticipatory bail is allowed.

(Sourendra Pandey, J)

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