IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87527 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- DUMARIYA District- Gaya

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Chintu Kumar Paswan S/O Rajkumar Paswan R/O Vill.- Kushdih, P.S- Dumariya, Dist -Gaya

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md. Jubair Ansari, Advocate
Mr. Mrityunjay Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 15-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Dumariya P.S. Case No. 53 of 2024 instituted for the offence under Sections 406 and 420 of the Indian Penal Code and Section 8 of the Essential Commodities Act.

3. The case of the prosecution is that when the PDS shop of the petitioner was raided certain registers were not maintained properly. It had also been alleged that there was a difference of altogether 302.70 quintals of wheat and 778.86 quintal of rice in the POS server and physical verification.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this

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case. Learned counsel for the petitioner submitted that registers were not maintained during the Covid period and that is why this difference has been found. He further submitted that the PDS license of the petitioner has also been cancelled. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Dumariya P.S. Case No. 53 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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