IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5883 of 2026

CNR No. BRHC010075872026

Arising Out of PS. Case No.-231 Year-2025 Thana- DEV District- Aurangabad

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Ram Bilash Bhuiyan S/o Late Ram Chandra Bhuiyan - Resident of Village - Pandey Bigha (Ajad Bigha), P.S - Deo, District - Aurangabad

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ashok Kumar No.6, Adv.
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

3 27-10-2026 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in Deo PS Case No. 231/2025, registered for the offence under Section 7 of the E.C. Act.

3. The prosecution case, in brief, is that during inspection of the PDS shop of petitioner, a discrepancy of 71.50 quintals of rice and 25.77 quintals of wheat was found between the stock recorded in the e-POS machine and the physical stock and pursuant to the said irregularity, a show-cause was asked from the petitioner, but he failed to submit a satisfactory explanation despite notice, leading to cancellation of his PDS licence and institution of F.I.R. against him under the provision of Essential Commodities Act.

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4. Learned counsel for the petitioner submits that petitioner is quite innocent and has committed no offence and has been made accused with malicious intention. In fact, petitioner is simply a victim of circumstances. He submits that the e-POS machine was defective. It did not reflect the correct stock, for which several complaints were made. As per F.I.R. itself, petitioner is not involved in the black-marketing of subsidized food-grains. In fact, there was shortage of food-grains, for which, petitioner was asked to show-cause and since, he did not submit any satisfactory reply, his PDS license has been cancelled and has been made accused in this case. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Deo P.S. Case No. 231 of 2025, subject to condition as laid down under Section 482 of the Bhartiya Nagrik Suraksha Sanhita,

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2023.

(Prabhat Kumar Singh, J)

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