

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12304 of 2026

Arising Out of PS. Case No.-250 Year-2025 Thana- KADWA District- Katihar

Yogendra Kumar Das Son of Aitabari Das @ Etwari Ram Resident Of Village
- Chouni, Ps- Kadwa, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-02-2026 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 318(4) of the Bharatiya Nyaya Sanhita and Section 7 of the Essential Commodities Act.

3. As per F.I.R., during inspection of the PDS shop of petitioner, total 57.74 quintal rice and 9.64 quintal wheat were found to be in shortage which were, allegedly, sold in the black market by the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. The raid was conducted on 5.09.2025 whereas, F.I.R. was lodged on 17.09.2025 i.e., after inordinate delay of 12 days without any explanation. As a matter of fact, ePOS machine of the shop in question was not working properly. It is further submitted that PDS license of petitioner has already been suspended.



5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the fact that PDS license of the petitioner has been suspended, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below 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 Sub-Divisional Judicial Magistrate, Katihar in connection with Kadwa P. S. Case No. 250 of 2025, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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