

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13932 of 2026

Arising Out of PS. Case No.-313 Year-2025 Thana- BIRPUR District- Supaul

Manjar Alam S/O Nasir Hasan @ Nazir Hassan @ Hazi Nazir Hussain
Resident of Village- Lalpur Balbhadrapur, Ward No. 14, Police Station -
Birpur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 05-05-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State, Sri Chandra Bhushan Prasad.

2. The petitioner apprehends his arrest in connection
with Birpur PS Case No. 313 of 2025, registered for the
offences punishable under Sections 316(2), 316(5) and 318(4) of
the BNS, 2023 as well as Section 27 of the E.C. Act, 1955.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that an inspection of PDS of petitioner was conducted on
3-9-2025 and 24233.00 Kg. of rice and 7963.00 Kg. of wheat
was found short, thus, alleges that rice and wheat was sold in the
black market.

4. Learned counsel for the petitioner submits that



petitioner has been falsely implicated in the instant case by the informant. It is next submitted that the date of inspection is 3-9-2025 and the FIR came to be instituted on 11-9-2025, i.e., after a delay of 8 days of the inspection, which casts an aspersion on the case of the prosecution. It is also submitted that if shortage was found, why the informant did not institute the FIR promptly.

5. Learned A.P.P. for the State, Sri Chandra Bhushan Prasad, opposes the prayer for anticipatory bail of the petitioner and submits that there might be some delay in instituting the FIR, but then that by itself does not vitiate the FIR. It is next submitted that a counter-affidavit has been filed wherein it has been pleaded that petitioner was called at the shop and in his presence, the shop was opened when the aforesaid shortage was found, on which the learned counsel appearing on behalf of the petitioner submits that when petitioner was present at his shop then why his signature on the inspection report was not taken, on which learned APP submits that there is no pleading to that effect in the anticipatory bail application that signature of the petitioner after inspection was not taken, when it is asserted and submitted that inspection of the shop was conducted in presence of the petitioner and thereafter the aforesaid shortage was found



and it is a case of black marketing.

6. After hearing the learned counsel for the parties, the Court is not inclined to extend the privilege of anticipatory bail to the petitioner.

7. Accordingly, the prayer for anticipatory bail of the petitioner is rejected.

(Satyavrat Verma, J)

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