

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15455 of 2026

Arising Out of PS. Case No.-400 Year-2025 Thana- RAFIGANJ District- Aurangabad

Dharamjeet Singh @ Dharjit Singh Son of Late Sant Bilash Singh Resident of
Village- Kajapa, P.S.- Rafiganj, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 12-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Rafiganj P.S. Case No. 400 of 2025 dated 13.09.2025 registered for the offence punishable under Section/s 7 of the Essential Commodities Act, 1955.

3. As per the prosecution case, the petitioner, a P.D.S. dealer, was found involved in irregularities during inspection of his shop. A show-cause notice was issued on 08.07.2024, and despite his reply, further inspection was ordered. After inspection on 17.09.2024, his P.D.S. license was cancelled on 19.09.2024. Subsequently, his shop was attached to another dealer, Kanchan Kumar, and the E-POS machine was handed over to him. It is alleged that 33,887 kg of food grains were not



handed over, indicating black marketing by the petitioner, leading to the filing of the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. It is next submitted that, due to a technical issue, the wrong quantity was reflected on the ePOS machine, based on which allegations of black marketing were made against the petitioner. It is further submitted that the petitioner had informed the concerned authority about the technical defect in the POS machine and, therefore, he distributed the grains physically to the beneficiaries after taking their signatures in the register, but the opposite party did not consider the same prior to lodging the F.I.R. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and taking into account that there had been technical issue in uploading the status on ePOS machine, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, Bihar in connection with Rafiganj P.S. Case No. 400 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner(s) who shall provide official document / personal affidavit to show his bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(Ajit Kumar, J)

rishi/-

U		T	
---	--	---	--

