

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14441 of 2026

Arising Out of PS. Case No.-189 Year-2025 Thana- TISIAUTA District- Vaishali

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Baskinath Rai @ Basukinath Rai S/o Late Harendra Rai R/o Village- Tisiauta,
P.S.- Tisiauta, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 316(5) and
318(4) of the BNS, 2023 read with Section 7 of the Essential
Commodities Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that on 22.11.2025 at about 11:30 AM, PDS shop of the
petitioner was inspected and the same was found closed and the
digital stock showed 140.482 quintals of wheat and 66.138
quintals of rice, but physical stock was much lower (16.5
quintals of wheat and 66 quintals of rice), it is further alleged
that petitioner did not hand over 805.51 quintals rice and 198.52



quintals wheat to the new dealer i.e. daughter-in-law of deceased, Jagdish Chaudhary who was appointed as a new dealer, it is also alleged that certain technical discrepancies also occurred in the POS machine of the deceased dealer.

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 no show cause was issued to the petitioner prior to the instant FIR being instituted. It is further submitted that had a show cause been issued to the petitioner, the petitioner would have explained the discrepancies based on which the FIR would not have been instituted. It is also submitted that petitioner is also a PDS dealer and no complaint ever was instituted against him by the authorities or beneficiaries. It is also submitted that a specific pleading has been made at Para 11 and 12 of the anticipatory bail application that Raj Kumar Chaudhary son of Late Jagdish Chaudhary handed over the POS machine to Dhiraj Kumar, who in turn handed over the machine charger to the petitioner on 19.11.2022 and the receipt dated 19.11.2022 issued by Dhiraj in favour of petitioner makes no mention whatsoever of any quantity of food grains and records only and handing over of the POS machine and charger. It is also submitted that petitioner will not abscond



rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the anticipatory bail application of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Tisiauta P.S. Case No. 189 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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