

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15736 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- PIPRAKOTHI District- East Champaran

1.

SANGITA KUMARI W/o Abhimanu Kumar R/o vill - Chhapra, P.S.- Pipra Kothi, Distt.- East Champaran
2.

Abhimanu Kumar S/o Banarash Singh R/o vill - Chhapra, P.S.- Pipra Kothi, Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliar
For the Opposite Party/s : Mr. Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

9 07-01-2026 Heard the parties.

2. The petitioners are named in the F.I.R. and apprehending their arrest in connection with Pipra Kothi P.S. Case No. 250 of 2024 registered for the offences punishable under Sections 303(2), 318(4), 316(2), 316(5) of BNS and Section 7 of Essential Commodities Act.

3. The allegation against petitioners is to print her name, who is a PDS dealer in approximately 350 ration card, in view of same a suspicion was raised by informant that same is used for black-marketing of



essential commodities.

4. It is submitted by learned counsel appearing on behalf of the petitioners that the repetition of name took place due to certain software error in e-POS machine. It is pointed out that it is not a case of misappropriation of any commodities. It is submitted that petitioner no. 1 is a lady and even this repetition took place under wrong advice which was later on blocked at Block Supply Officer (BSO) level and, therefore, the maximum this case can be said as an attempt. It is pointed out that the allegation is related with documentations and only on the basis of suspicion that these document may be used further for black marketing purpose for essential commodities present case was lodged without any cogent material. It is submitted that petitioner no. 2 implicated with this case only for the reason that he is the husband of petitioner no. 1 who is a PDS dealer. While concluding arguments, it is submitted that both above named petitioners are of clean



antecedents.

5. Learned APP while opposing the prayer of bail could not disputed the aforesaid factual submissions. It is also submitted after gathering information from Block Supply Officer (BSO) and Marketing Officer (M.O.), who are present in Court in person in terms of previous order of this Court that in actual in want of knowledge the repetitions due to wrong KYC, took place as petitioner no. 1 made an attempt to connect e-POS with different blank Adhaar. It is also pointed out that no misappropriation in actual took place and to the some extent it is also the error on the part of e-POS machine which was later on checked by office of Block Supply Officer.

6. In view of aforesaid factual submission and by taking note of fact as allegation is related with documentations where the FIR *qua* black-marketing of essential commodities was lodged purely on the basis of suspicion as it is appears from the facial perusal of FIR, coupled with the fact that the technical error of e-POS



machine cannot be ignored out rightly as submitted by officers who are present in Court, accordingly both above-named petitioner, in the event of their arrest or surrender before the court below within a period of four weeks, are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran /concerned Court, where the case is pending in connection with Pipra Kothi P.S. Case No. 250 of 2024, subject to the conditions as laid down under Section 482(2) of BNSS.

7. Presence of all government officers including BSO and MO is dispensed with.

(Chandra Shekhar Jha, J)

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