

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15437 of 2026

Arising Out of PS. Case No.-26 Year-2026 Thana- FATEHPUR District- Gaya

Rajendra Paswan S/oLate Rohan Paswan R/o Village - Lodhwe, Panchayat -
Uttri Lodhwe, Block - Fatehpur, P.S - Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 12-03-2026

Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in connection with Fatehpur P.S. Case No.26 of 2026, dated 12.01.2026, registered for the offence punishable under Section 7 of the EC Act.

3. As per the FIR, during the inspection of the petitioner's PDS shop on 06.09.2025, a shortage of rice and wheat was found in the godown as per the ePOS machine records. It was suspected that the petitioner had illegally sold the food grains. Thereafter, a show cause notice was issued to the petitioner; however, his reply was found to be unsatisfactory. Subsequently, a second inspection was conducted, which also revealed a further shortage of food grains. Consequently, the PDS licence of the petitioner was cancelled.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. It is further submitted that during the lockdown period in the year



2020, wheat to the tune of 128.04 quintals and rice to the tune of 85.36 quintals were never physically supplied to the petitioner; however, the same were wrongly uploaded in the ePOS machine of the petitioner by the authorities. As soon as the petitioner came to know that the aforesaid wheat and rice had been wrongly uploaded in his ePOS machine, he filed an application on 25.08.2020 before the Block Supply Officer, Fatehpur, requesting deletion of the same and necessary correction in the ePOS machine. The said application has been appended with the bail application as Annexure-P/2. However, the same was never considered by the authorities, and without taking any steps on the application dated 25.08.2020, they straightaway cancelled the licence of the petitioner and also lodged the FIR for which the petitioner is seeking bail. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.

6. Taking into account that there had been technical issue in uploading the status on ePOS machine, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 the learned CJM, Gayaji/Successor Court in connection with Fatehpur P.S. Case No.26 of 2026, subject to the conditions as laid down under Section 482(2) of the BNSS 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/her 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/her/their 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;

(iv) the petitioner(s) shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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