IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48872 of 2026
Arising Out of PS. Case No.-171 Year-2025 Thana- SALAKHUA District- Saharsa

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Sita Ram Das S/o Late Sahdev Ram Resident of Village- Situaha, P.S.- Salkhua, District- Sahrsa (Bihar)

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Amarnath Jha
For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 20-08-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Salkhua P.S. Case No.171/2025 registered for the offences punishable under Section 7 of the Essential Commodities Act, 1955.

3. As per FIR, petitioner who was a PDS dealer alleged to misappropriate the foodgrain to the tune of 12,417 kg of wheat and 30,188 kg of rice, which ought to be otherwise 13,917 kg of wheat and 32,228 of rice as per e-POS machine.

4. It is submitted by learned counsel appearing on behalf of the petitioner that 1,500 kg of wheat and 2,040 kg of rice was found shortage. It is submitted that this variation is very common across the State due to error recording of e-POS machine. It is further submitted that aforesaid shortage is due to certain technical reasons and there is no allegation *qua* black

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marketing of wheat and rice against this petitioner. It is also submitted that wheat and rice is not in the list of essential commodities as per Notification dated 10.11.1986 through GSR No. 57, Govt. of Bihar. Petitioner claimed clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as shortage of wheat and rice, which is no more in the list of essential commodities said to be out of error recorded by e-POS machine, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Saharsa/concerned Court, where the case is pending in connection with Salkhua P.S. Case No.171/2025, subject to the conditions as laid down under Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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