IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54337 of 2026

Arising Out of PS. Case No.-53 Year-2025 Thana- KHANPURA District- Samastipur

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Upendra Ram Son of Late Jageshwar Ram Resident of Village- Bachuli, P.S.- Khanpur, District- Samastipur

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nachiketa Jha, Advocate
Mr. Ankur Agraj, Advocate
For the Opposite Party/s : Dr. Mritunjaya Kumar Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR

ORAL ORDER

3 20-08-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The Petitioner is apprehending his arrest in connection with Khanpur P.S. Case No. 53 of 2025 registered for the offences punishable under Sections 406, 420 and 409 of the IPC and Section 7 of the Essential Commodity Act.

3. On the written report of the Block Supply Officer, Khanpur, the present FIR has been lodged, alleging, inter alia, that the licence of the petitioner as a PDS dealer was cancelled on 10.02.2023 and a total quantity of 565.76 Quintal of food grains was required to be handed over to Archana Kumari, another PDS dealer but the same was not handed over to her. It has, thus, been alleged that the petitioner indulged in the black-

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marketing of the said food grains.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It has been submitted that, for recovery of the alleged amount, the informant has instituted a certificate case, wherein the petitioner has the right to contest the claim and raise his defence. Moreover, referring to Annexure P/2 to the supplementary affidavit, it has been submitted that the entire quantity of food grains, along with the POS machine, was handed over to Archana Kumari, who had put her signature at the time of taking delivery. It has next been submitted that the FIR has been lodged after an inordinate delay of about two years. Lastly, it has been submitted that the petitioner has clean criminal antecedent as stated in para 3 of the bail petition.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Heard the parties and perused the record.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like

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amount each to the satisfaction of the learned court concerned, Samastipur in connection with Khanpur P.S. Case No. 53 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

8. This application stands allowed.

(Praveen Kumar, J)

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