

IN THE COURT OF SATYA BHUSHAN ARYA, SESSIONS JUDGE, BANKA

Uday Kumar Vs. State

Anticipatory Bail Petition No. 365 of 2026

Date of filing : 11.03.2026

Date of order : 30.04.2026

*Uday Kumar son of Santosh Barnwal, resident of village-Rajwada, P.S.-
Katoriya, District-Banka*

..... Petitioner

-Versus-

State of Bihar

.....Opposite Party

*Present : - Sri Anand Deo Choudhary, Advocate for the Petitioner
Sri Hira Lal Singh, Public Prosecutor for the State*

ORDER

1. *Apprehending arrest the petitioner has preferred this pre-arrest bail application who is booked in Katoriya Police Station Case No. 55 of 2026, for the offence allegedly committed under Sections 7 of E.C. Act.*

2. *The case of prosecution is engendered upon an application filed by one Laxmikant Rabani with the allegations that he is posted as Block Supply Officer at Chandan Block. On 01.03.2026, at about 10:00 am, he was informed that one vehicle has been intercepted in village Dulisar loaded with sixty hand stitched plastic bags of rice. Upon this information, he reached Katoriya Police Station where vehicle no. JH15AE1502 was found loaded with rice. The vehicle was inspected by Md. Ashif Alam, Quality Controller, Banka and it was found that that the rice are government subsidized rice which is distributed under public distribution system under Nation Food Security Act.*

3. *In oral arguments, learned counsel for the petitioner submitted that there is no parameter to check public rice. It is submitted that he is a businessman and he was taking the rice to sell. It is further argued that he has falsely been implicated in this case whereas he is not a dealer under the public distribution system.*

4. *In counter, learned Public Prosecutor for the State opposed the pre-arrest bail application on the ground that it is nexus with whom the accused/petitioner associated.*

5. *Heard rival submissions and perused the record. Keeping in view the allegation and that the present petitioner is not dealer of Public Distribution*

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System, this court is inclined to grant the petitioner pre-arrest bail; resultantly, this pre-arrest bail application is allowed. It is, therefore, ordered that upon arrest or surrender of the petitioner within fortnight of receiving the instant order the petitioner be admitted to anticipatory bail upon furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of trial court subject to condition as laid down under Section 482(2) of the BNSS. Out of the two sureties, one will be of the same village or close relative of petitioner. It is made clear that before surrender in the trial court, the petitioner will first join investigation and then, only upon a certificate of Investigating Officer the bail bond will be accepted by the trial court.

6. File be consigned to the record room and that of trial court be sent back with a copy of this order.

7. Keeping in view the General Order no. 1 of 1991 (Criminal) dated 07.03.1991, the certified copy of FIR, if desired, be returned back to the petitioners on placing the xerox copy thereof on record.

(Dictated)

(Satya Bhushan Arya)
Sessions Judge, Banka