

In the Court of District & Additional Sessions Judge-I, Darbhanga, Bihar.
ABP No.- 61/2026

Ref :- Arising out of Moro P.S. Case No. 116/2025, Dated-19.12.2025, U/s- 7
E.C. Act.

In the matter of :-

Kamal Ram aged about 50 years S/o Asharfi Ram
Resident of Village- Hasanpur Panchyat, P.S. Moro, District- Madhubani

----- **Petitioner**
Versus.
The State of Bihar ----- **Opposite Party**

Learned counsel for the petitioner : Sri Md. Rasid Ahamad, Advocate.

Learned counsel for Opp.Party : Sri Amrendra Narayan Jha, P.P.

Date of order:- 09.03.2026

ORDER

1. The present application has been filed on behalf of the above-named petitioner seeking the privilege of anticipatory bail in connection with Moro P.S. Case No. 116 of 2025 dated 19.12.2025, registered under Section 7 of the Essential Commodities Act, presently pending in the court of the learned JMFC, Darbhanga.
2. The prosecution case, in brief, is that on 07.09.2023, the PDS shop of Kamod Ram, having Licence No. 28/2016, was inspected and searched by the Block Supply Officer. During the inspection it was found that as per the records available in the POS machine, a stock of 43.76 quintals of wheat and 115.92 quintals of rice was shown to be available in the godown. However, upon physical verification, no wheat was found in the godown and only 4.30 quintals of rice was available. Thus, 43.76 quintals of wheat and 111.62 quintals of rice were found missing from the godown.
3. It is further alleged that the petitioner was asked to furnish an

explanation regarding the shortage of the foodgrains by the competent authority on 07.11.2023, but the explanation submitted by him was neither satisfactory nor supported by any valid document. The materials collected during the preliminary enquiry further indicate that the petitioner failed to comply with the directions issued by the competent authority. The circumstances prima facie suggest that the foodgrains meant for distribution under the Public Distribution System were illegally diverted and black-marketed, thereby defeating the very purpose of welfare schemes intended for economically weaker sections of society.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has been falsely implicated in the present case. It has further been argued that the petitioner has clean antecedents, there is no likelihood of his absconding or tampering with the prosecution evidence, and he is ready to cooperate with the investigation as well as to abide by any condition that may be imposed by this Court. On these grounds, prayer has been made for grant of anticipatory bail.
5. Learned Special Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for anticipatory bail and submitted that the allegations against the petitioner are serious in nature and relate to the misappropriation of a large quantity of foodgrains meant for public distribution.
6. Upon consideration of the submissions advanced on behalf of the parties and on perusal of the materials available on record, it appears that a substantial quantity of essential foodgrains meant for

distribution to beneficiaries under various Government welfare schemes was found missing from the godown of the petitioner. The magnitude of the shortage and the failure of the petitioner to furnish any satisfactory explanation prima facie indicate serious irregularities and misuse of the public distribution system.

7. Offences under the Essential Commodities Act directly affect the public distribution mechanism and the welfare of economically weaker sections of society. The alleged act of diversion or black-marketing of essential commodities undermines public trust and adversely impacts government schemes intended to ensure food security for the needy. Considering the gravity and seriousness of the allegations, as well as the large quantity of foodgrains involved, this Court does not find it to be a fit case for exercising the discretionary relief of anticipatory bail. Accordingly, the prayer for anticipatory bail made on behalf of the petitioner is rejected.

(Dictated)

**District & Addl Sessions Judge-I
Darbhanga.
09.03.2026**

Memo No. _____ dated _____

Office of the Addl. Sessions Judge-1, Darbhanga.

Copy of order forwarded to the Court of learned JMFC, Darbhanga for information and needful.

**District & Addl Sessions Judge-I
Darbhanga.**

Date of Order	09-03-2026
Uploaded Date	13-03-2026
Uploaded By	Ratnesh Kumar

Web copy.