

THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE- II, JAMUI
PANCHANAND SAH VS. THE STATE OF BIHAR

A.B.A. NO. - 233 Of 2026

Chandradeep P.S Case No.-09/2026

ORDER

Present: Sudhir Sinha

12.05.2026

This anticipatory bail petition has been filed on behalf of petitioner **Panchanand Sah** who is apprehending arrest in Chandradeep P.S. Case No. 09/2026 registered u/s-7 E.C. Act, the copy of which is served upon the Id. P.P.

The Id. Counsel for the petitioner has submitted that the petitioner is quite innocent. No bail petition has been filed on behalf of petitioner either in this Court or before the Hon'ble High Court, Patna except the present one. The petitioner has got no criminal antecedent. The petitioner have got notice u/s-35(3) of BNSS as informed by the pairvikar but petitioner have apprehension regarding judicial remand in connection with the present case. The petitioner has committed no offence and has been falsely implicated in this case. Section 7 E.C Act is not applicable against the petitioner. The petitioner is man of means, there is no chance of his absconding and he is ready to furnish bail bond to the satisfaction of the Id. Court. In such view the Id. Counsel prayed to admit the petitioner to anticipatory bail.

The Id. Addl. PP opposed the prayer for bail.

On perusal of case diary it is clear that the petitioner is F.I.R. named accused. The prosecution case in brief is that as per the informant Mohan Prasad Dwij, the oral instructions given by the Joint Direct, Munger Divison on 28.01.2026 against Shiv Shakti Trading, Chandradeep, retail fertilizer establishment. On 28.01.2026 at about 5:00PM during the inspection, a total of 73.036 metric tons(1623 bags) of Urea was found at his establishment as per the E-POS machine, but the quantity of fertilizer available in the Warehouse was only 306 bags. However, the destruction register was not provided. Thus, 1317 bags of Urea were found less in the stock than the total quantity available in the e-POS machines. The informant in his re-statement in CD para-4 has stated the same facts. The witnesses in CD-14 and 15 have supported the prosecution. In CD para-24 there is no criminal antecedent against the petitioner. The SDPO on the basis of statement

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of witnesses, inspection of PO, has found the case as true against the petitioner. In CD para-32 the police went to give notice u/s-35(3) BNSS to petitioner's home but his parents refused to take notice. The Court finds that for repeated offences, the minimum imprisonment is 6 months, extending up to 7 years, plus fines. The petitioner deserved notice u/s-35(3) of B.N.S.S. Applying the principles settled in Arnesh Kumar V State of Bihar, Satendar Antil V CBI and Naushad Ansari V State of Bihar, the anticipatory bail petition stands allowed.

Therefore in view of the facts and circumstances of this case having regard to the submission of the parties, this anticipatory bail petition is **allowed**. The petitioner **Panchanand Sah** in the event of his arrest or surrender is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the concerned Court.

Dictated & Corrected

District & Addl. S.J -II, Jamui
12.05.2026