

In the Court of District Additional Sessions Judge-III, Madhepura
A.B.P. No.- 780/2026
(Arising out of Bihariganj P.S. Case No. 198/2026)

Present- Sri Raghubir Prasad, D.A.S.J.-III, Madhepura.

12/08/26	Navin Kumar Mehta, S/o.- Vijay Kumar Mehta, R/o.- Mohanpur Nisf, Ward No.-12, P.S.- Bihariganj & Dist.- Madhepura.....Petitioner. Vs. State of Bihar O.P. Anticipatory bail petition filed on behalf of accused petitioner namely Navin Kumar Mehta, who are apprehending his arrest in connection with Bihariganj P.S. Case No.- 198/2026, u/s.- 223 of BNS & 7 E.C. Act, has been put up today for hearing. Copy of the same already served to the Id. Prosecution. Heard Sri. Chandrakant Jha, learned lawyer appearing on behalf of the petitioner, who submitted that no anticipatory or regular bail petition was ever filed on behalf of petitioner earlier either in this court or before the Hon'ble High Court. One criminal case is pending against the petitioner vide Bihariganj P.S. Case No. 399 of 2025, u/s.- 316(2), 316(5), 318(3) of BNS in which the petitioner is on bail. Petitioner is quite innocent and he has not committed any offence as alleged in the FIR. Petitioner has been falsely implicated in this case duet to dirty village party politics. No case u/s.- 7 E.C. is made out against the petitioner and petitioner has never done any black marketing of grains. The said grain has been kept in the godown of the petitioner and no notice was given to the petitioner for deliver the said grain to another P.D.S. dealer. It is pertinent to note here godown of petitioner was not checked properly by the informant and this false and concocted case has been filed by the informant mere on suspicion on the instigation of his enemies. Petitioner has never misappropriated the said grains rather it has been kept in the godown of the petitioner. Petitioners are ready to comply all the terms and fulfill the conditions as imposed by law as per section 482 (2) BNS. Learned A.P.P. appearing on behalf of state has opposed the prayer for anticipatory bail. The prosecution case as per written application of informant Amartya Modhugalya, Block Supply Officer, Bihariganj is that After the registration of FIR No. 399 of 2025 dated 11.09.2025 by the Co-operative Department against the PACS President-cum-Public Distribution System Seller-Shri Naveen Kumar Mehta (petitioner) of Panchayat Mohanpur under Block Bihariganj, so that the work of food grain distribution is not interrupted, in the light of the undersigned's letter No. 79/ dated 25.09.2025, by the order of the Sub-Divisional Officer, Udakishunganj, the nearest Public Distribution System Seller Shri Diwakar Kumar Paswan, Panchayat-Mohanpur was associated with-Mr. Diwakar Kumar Paswan, Public Distribution System vendor, Panchayat-Mohanpur, reported that after the shop was affiliated, petitioner, only provided a POS machine and a vat, but the remaining food grains of 18325 kg wheat and 44316 kg rice displayed on the POS machine FPS ID-121300200100 were not handed over. In this regard, Mr. Diwakar Kumar Paswan,	
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12/08/26 Contd...	affiliated Public Distribution System vendor, Panchayat-Mohanpur, submitted an application to the office of the Sub-Divisional Officer, Udakishunganj, stating that Mr. Naveen Kumar Mehta, PACS President cum Public Distribution System vendor, had not provided him with the remaining food grains of 18325 kg wheat and 44316 kg rice. In this regard, the Sub-Divisional Officer, Udakishunganj, vide letter no. 434 dated 25.02.2026, directed an investigation and submission of an investigation report. In the light of the above order, the undersigned has reported through letter no. 52 dated 28.05.2026 that despite repeated oral and written communication, the food grains available in the POS machine are not being made available/transferred to the concerned Public Distribution System vendor by petitioner. Despite repeated oral and written communication, the non-availability of the unsold food grains by petitioner, appears to indicate that the government subsidized food grains have been black marketed/sold by petitioner, or the food grains have not been transferred to the concerned Public Distribution System Vendor Shri Diwakar Kumar Paswan with the intention of selling them. Heard both sides and perused the case record. On perusal, it is evident that the instant case has been lodged u/s.- 223 of BNS & 7 E.C. Act. Petitioner is named in the FIR. There is allegation that the food grains of 18325 kg wheat and 44316 kg rice have not been transferred to the concerned Public Distribution System Vendor Shri Diwakar Kumar Paswan with the intention of selling them which is government subsidized food grains by the petitioner. The informant in his re-statement para- 03 and para-15, independent witness there is material to show the involvement of the petitioner. One criminal case is pending against the petitioner vide Bihariganj P.S. Case No. 399 of 2025, u/s.- 316(2), 316(5), 318(3) of BNS, which is evident in para- 47 of the case-diary. The allegation against the petitioner is serious one. Investigation is still going on. Considering the above facts and circumstances and taking into account the nature of allegation and involvement of the petitioner in the occurrence, this court is not inclined to enlarge the petitioner on anticipatory bail. Accordingly, prayer for anticipatory bail of these petitioner namely Navin Kumar Mehta stands rejected in connection with Bihariganj P.S. Case No. 198 of 2026. Dictated Sd/- (Raghubir Prasad) D.A.S.J.-III, Madhepura <table><tr><td>Date of order</td><td>12.08.2026</td></tr><tr><td>Uploading date</td><td>18.08.2026</td></tr><tr><td>Uploaded by</td><td>Vishal Kumar</td></tr></table>	Date of order	12.08.2026	Uploading date	18.08.2026	Uploaded by	Vishal Kumar
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