

COURT OF ADDL. DISTRICT & SESSIONS JUDGE-III, SAHARSA
Present- Chandan Kumar

Regular Bail Application No.- 271/2026

Arising out of Basnahi P.S. Case No. - 151/2025

Manbodh Paswan

Petitioner

Versus

State of Bihar

Opp. Party

Date of order or proceeding	Order with signature of the court	Office action taken with date
04.05.2026	1. The present regular bail petition has been filed on behalf of accused petitioner Manbodh Paswan who is in custody since 12.04.2026 in connection with Basnahi P.S. Case No.-151 of 2025 registered for the offences punishable U/Ss 316(5) of BNS and 07 of Essential Commodities Act. The record has been put up for hearing. 2. Heard Sri Jitendra Nath Jha, learned counsel for petitioner as well as Sri Anuj Kumar for the State. 3. The case of prosecution in brief as per written information of Md. Danish Raja said to be Supply Inspector, Sonbarsa is that on 05.09.2025 under zero office day at about 10:08 AM he inspected the shop of Manbodh Paswan having FPS Code 121400200102 and on physical verification found that there is/was no food grains in the inventory which ought to be 69.73 quintal of wheat and 130.63 quintal of rice. 4. Learned counsel for petitioner submitted that petitioner is quite innocent and has committed no offence. He further submitted that earlier anticipatory bail application has been rejected by this Court of Additional Sessions Judge-III, Saharsa vide order dated 08.12.2025 passed in ABA No.-1025 of 2025 and thereafter and thereafter he filed Cri. Misc. No.-5107 of 2026 but the same was dismissed as withdrawn on account of arrest of the petitioner. He further submitted that petitioner is	

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contd. 04.05.2026	having criminal antecedent who has been involved in one case vide. Basnahi P.S. Case No. 67/2020 registered for the offence under Section 7 of the Essential Commodities Act. Petitioner is man of means and there is no chance of his absconding nor tampering with the evidence. Further he submitted that petitioner is in custody since 12.04.2026. The petitioner is ready to furnish the sound sureties to the full satisfaction of the learned Court. Lastly he submitted that petitioner deserves to get the benefit of bail. 5. On the contrary learned APP opposed the prayer for pre-arrest bail. Further he submitted that petitioner is having antecedent and that too for the similar nature vide Basnahi P.S. Case No. 67/2020 registered for the offence under Section 7 of the Essential Commodities Act. 6. Perused the case record. On perusal it appears that there is specific allegation against the present petitioner Manbodh Paswan said to be PDS dealer of misappropriating the food grains to the tune of 69.73 quintal of wheat and 130.63 quintal of rice. Further the PDS Inspection Report having inventory verification shows difference of 69.73 quintal of wheat and 130.63 quintal of rice as per the e-PoS and physical stock. Beside it the complicity of the petitioner in alleged crime transpires from the statement of the witnesses mentioned in para-3 and 4 of the case diary. The alleged act of the petitioner who is a PDS dealer is serious in nature which affects the interest of the society by creating hindrance in the schemes of the government made for the upliftment of the downtrodden people. Further the alleged act of petitioner who has been entrusted with the food grains as an agent of the government for the supply of the food grains on concessional rate to the people	
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contd. 04.05.2026	below poverty line and such misappropriation of the food grains also attracts ingredient of criminal breach of trust attracting section 316(5) of the B.N.S. along with the complicity of the petitioner in violating the orders issued under section 3 of the Essential Commodities Act punishable under section 7 of the Essential Commodities Act. Furthermore the case is still under investigation and also the accused petitioner is having criminal antecedent and that too of similar nature vide. Basnahi P.S. Case No. 67/2020 which transpires from para-21 of the case diary. 7. Considering the facts and circumstances and seriousness of the offence, I am not inclined to enlarge petitioner namely Manbodh Paswan on bail at this stage. Accordingly prayer for bail of petitioner namely Manbodh Paswan is hereby rejected. (Dictated & corrected by me) Sd/- (Chandan Kumar) Addl. Sessions Judge-III, Saharsa	
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