

**In the Court of Sessions Judge, Supaul**  
**A.B.A.-119/2026**  
**(Arising out of Kishanpur PS Case No:-261/2025)**

<p><b><u>14/05/2026</u></b></p>	<p>Mahendra Rai, S/o- late Thakai Rai, R/o- Ward No.06, Parsamadh, Tola-Lakshminiya, PS- Kishanpur, District- Supaul;</p> <p style="text-align: center;">.....Accused/Petitioner Vs. State of Bihar. ....O.P.</p> <hr/> <p>Ld. Counsel for petitioner Sri. Madan Kumar Choudhary, Advocate. Ld. Spl. PP Sri. Rabindra Kumar, for the State.</p> <p>By this order we are going to dispose off the anticipatory bail application filed on behalf of two accused/ petitioner, namely Mahendra Rai, who is apprehending his arrest in connection with Kishanpur PS Case No.:–261/2025, u/s- 7 of E.C.Act.</p> <p>Ld. counsel for the accused/ petitioner argued that accused/ petitioner is quite innocent and has committed no crime and he has falsely been implicated in this case due to dirty village politics and enmity. He further submitted that accused/ petitioner has not involved in any other criminal cases and having the clean antecedent. He further submitted that the offence as alleged in FIR is not applicable against the accused/ petitioner. It is also submitted that accused/ petitioner is ready to abide by the provisions of section 482 of B.N.S.S, so he may be admitted to the anticipatory bail.</p> <p>Ld. Spl. PP for the State strongly opposed the anticipatory bail application.</p> <p>In brief, the prosecution story is that on dated 09.12.2025 the Block Supply Officer, Kishanpur conducted a raid at the PDS Shop of Mahendra Rai and during the course of said raid, he found the following irregularities such as the shop keeper was not available at his PDS Shop and his son Navin Kumar Rai was present and there was no notice board or price list outside the shop. He has also not produced the licence as well as weighing machine. The persons present at the shop has also informed the Block Supply Officer that since last 5 months POS machine was not working and due to this reason he has not provided the receipt to the customers. After physical verification with the POS machine, it was found that 86.23 quintals wheat and 175.47 quintals rice was missing from the shop and the son of Mahendra Rai namely Navin Kumar Rai has informed the Block Supply Officer that only 50 K.G wheat and 50 K.G rice was lying in the godown.</p> <p>Argument heard from both sides and perused the record as well as case diary. On perusal of the case diary, it transpires that the police also recorded the re-statement of the informant Arvind Kumar, Block Supply Officer, Kishanpur and the statement of witness namely Anil Kumar Anand, Naving Kumar Rai, Anil Kumar Rai, Viday Sada, Sunil Kumar Ram and Baleshwar Rai. As per the statement of witnesses</p>	<p>Contd.</p>
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namely Vijay Sada, Sunil Kumar Ram and Baleshwar Rai they have specifically stated that the accused has not committed any irregularities in providing the foodgrains to the customers. Though the witnesses are not made any allegation against this accused/ petitioner, but the I.O has not conducted any investigation about the missing of the foodgrains from the godown and not given any para in this regard. The manner in which the investigation was conducted by the I.O is completely not satisfactory. Hence, keeping in mind the nature of evidence available against this accused/ petitioner so far, I find that accused/ petitioner is entitled to get the benefit of anticipatory bail. Therefore, the prayer for anticipatory bail of accused/ petitioner stands **Allowed** and in the event of his arrest or surrender before the court within 15 days from the date of receipt of a copy of this order, petitioner is directed to be released on furnishing bail bonds of Rs.20,000/- with two sureties of like amount each to the satisfaction of Learned Court below with condition that he shall abide by all the conditions laid down in section 482 of B.N.S.S and one of the bailor must be family member or close relative. Accused/ petitioner is further directed to join the investigation as and when required by the I.O and make available before the I.O.

Dictated  
-Sd-  
(Anant Singh)  
Sessions Judge, Supaul