

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18321 of 2020**

Arising Out of PS. Case No.-11 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

DIPU KUMAR S/o Abhay Kumar Prasad R/o Village- Sarsar, P.S.- Muffasil,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-08-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case
registered under Section 7 of the E.C. Act.

The prosecution allegation is of shortage of good grains
meant for public distribution system and black marketing of the same
in the open market.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner
has been made accused due to mistake of fact. The shortage of food



grain is denied by the petitioner. It is further submitted that the petitioner is ready to deposit a sum of Rs. 25,000/- (twenty five thousand) in the court below which shall be subject to the final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, **on deposit of a sum of Rs. 25,000/- (twenty five thousand) in the Court below which shall be subject to final disposal of the case**, the petitioner above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Siwan in connection with Siwan Muffasil P.S. Case No. 11 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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