

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 18774 of 2021**

Arising Out of PS. Case No.-5 Year-2020 Thana- RIVILGANJ District- Saran

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Anirudh Singh @ Pappu Singh Son Of Raj Bihari Singh Resident Of Village-
Nayka Barka Baiju Tola, Ward No. 20, P.S.- Rivilganj, District- Saran At
Chapra

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-02-2022 Due to the third wave of 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 through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

Further, counsel for the petitioner submits that in the
prayer portion of the petition, due to typographical error, P.S.
case number has been typed as “Rivilganj P.S. case No.04 of
2020” in place of “Rivilganj P.S. case No.05 of 2020”.



Let in the prayer portion of the petition, the words “Rivilganj P.S. case No.04 of 2020” be corrected to be read as “Rivilganj P.S. case No.05 of 2020”.

The petitioner is apprehending his arrest in connection with Rivilganj P.S. case No.05 of 2020 registered under Section 7 of the Essential Commodities Act.

Allegation is that the petitioner runs P.D.S. shop in place of his father and some irregularity has been found in running the P.D.S. shop.

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 petitioner happens to be the son of P.D.S. dealer. As per the allegation, the procedure as laid down has not been followed while running P.D.S. shop by the father of the petitioner. There is no allegation that any shortage of foodgrains were found in the shop of the father of the petitioner.

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

It is necessary to indicate here that this Court while considering the prayer made in the present anticipatory bail



application has taken note of the exponential rise in number of covid cases due to outbreak of third wave of Covid-19 pandemic. Further this Court can also not lose sight of the fact that the condition of jails is not conducive and suitable to the present situation which has arisen due to the sudden rise in covid cases.

Considering the facts and circumstances, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran in connection with Rivilganj P.S. case No.05 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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 eight weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

Narendra/-

(Sudhir Singh, J)

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