

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50465 of 2021

Arising Out of PS. Case No.-190 Year-2021 Thana- MUFFASIL District- West Champaran

SATYENDRA YADAV Son of Sri Raghunath Yadav Resident of Village -
Ganauli, P.S.- Bettiah Muffasil, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mrs.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2022 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.

The petitioner is apprehending his arrest in connection
with Bettiah Muffasil P.S. case No.190 of 2021 registered under
Sections 353, 504, 506/34 of the Indian Penal Code and Section
7 of the Essential Commodities ACt.

Allegation is that the father of the petitioner brought



government ration from his godown to his house and 270 kgs wheat and 170 kgs rice are recovered from his house.

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 is the son of the co-accused, who is P.D.S. dealer. As per the prosecution case, food grains for the public distribution was kept at the joint house of the petitioner, instead of being kept at the P.D.S. shop. The counsel for the petitioner further submits that the petitioner is ready to deposit an amount of Rs.10,000/- (Rupees ten 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 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 is directed to deposit an amount of Rs.10,000/- (Rupees ten thousand) in the court below, which shall be subject to the final disposal of the case.** On doing so, 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 Chief Judicial Magistrate, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. case No.190 of 2021, 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.

(Sudhir Singh, J)

Narendra/-

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