

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13574 of 2025

Arising Out of PS. Case No.-44 Year-2023 Thana- AYARKOTHA District- Rohtas

Ram Charitar Tivari Son of Late Anududh Tivari village- Ward no. 8, Ganua,
Ps- Darihat, Baraon kala, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 23-07-2025 Heard Mr. Rajesh Kumar Singh, learned counsel

appearing on behalf of the petitioner and Mr. Parmeshwar

Mehta, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection
with Ayarkotha P.S. Case No. 44 of 2023 registered under
Section 7 of the E.C. Act.

3. As per the allegation made in the FIR, the
petitioner, in course of inspection, was found to have violated
the provision of Section 25 of the Bihar Targeted Public
Distribution System (Control) Order, 2016.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner has taken ill and he has
under treatment at Patna and therefore, he was not present at the
time of inspection and inspection was done in his absence. As



such, inspection conducted in absence of license holder or any of his representative, loses its credibility. Learned counsel further submitted that before the present FIR was lodged, the petitioner was not found in any manner to have committed or violated any of the provisions of the Bihar Targeted Public Distribution System (Control) Order, 2016 (hereinafter referred to as “BTPDS Control Order, 2016) and due to enmity persons were plotted, on whose complaint the inspection conducted. The petitioner has clean antecedent. On these grounds, the petitioner seeks to be released on pre-arrest bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail and submitted that the petitioner was found to have violated the terms and conditions of the license, which is supported by the inspection report. The order of the Sub-Divisional Officer (SDO), suspending the license of the petitioner, has been referred in the FIR.

6. Considering the rival submissions made on behalf of the parties, as well as, the fact that the petitioner’s license has already been suspended, I find that the inspection is required to be done in accordance with the provisions of Section 20(3) of the BTPDS Control Order, 2016. I am of the opinion that the petitioner has, *prima facie*, made out a case to be released on



anticipatory bail.

7. The learned District Court is directed to release the petitioner on anticipatory bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dehri, Rohtas/ successor Court in connection with Ayarkotha P.S. Case No. 44 of 2023, subject to the condition as laid down under Section 482 of the BNSS.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner, as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner, as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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