

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38189 of 2026**

Arising Out of PS. Case No.-452 Year-2025 Thana- BIDUPUR District- Vaishali

Vijendra Paswan @ Bijendra Paswan @ Vijendra Pa. Son of Sinadan Paswan  
@ Late Shivanandan Paswan Resident of Village- Chandrapura Saidabad,  
P.S.- Bidupur, District- Vaishali (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kumar Gaurav, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

**CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR**  
**ORAL ORDER**

3      23-07-2026      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bidupur P.S. Case No. 452 of 2025 dated 26.06.2025 registered for the offence punishable under Section/s 223(a) of the B.N.S., 2023 and Section 7 of the Essential Commodities Act, 1955.

3. As per prosecution case, the petitioner, a P.D.S. dealer, had his licence cancelled on 04.03.2025 and the dealership was thereafter tagged to another dealer. He was directed to hand over the E-POS machine along with the balance stock of 203.21 quintals of wheat and 182.20 quintals of rice allegedly reflected therein. It is alleged that the petitioner failed to transfer the said



stock, resulting in shortage and black marketing, leading to registration of the instant case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the instant case. It is next submitted that the petitioner never received the alleged stock from the department and the shop was actually operated by another person and submits that the stock shown in the E-POS machine was due to a technical glitch. It is further submitted that, due to a technical issue, the wrong quantity was reflected on the ePOS machine, based on which allegations of black marketing were made against the petitioner. The petitioner had approached the authorities to make the necessary corrections, but such corrections could not be made during the COVID period. He further submits that similar issues had arisen in various districts, and FIRs based on similar allegations were filed, in which the respective parties had approached this Court. It is further submitted that this Court, considering the technical glitch as the reason for reflecting the wrong figures of wheat and rice quantity, granted privilege of anticipatory bail to one Munni Kumari @ Shrimati Munni Kumari vide order dated 12.03.2026 passed in Cr. Misc. No. 15450 of 2026. Lastly, it is submitted that the petitioner has no



criminal antecedents. It is further submitted that the Co-ordinate Bench of this Court has also granted privilege of anticipatory bail to the similarly situated persons vide orders dated 01.04.2026, 05.01.2026 and 12.01.2026 passed in Cr. Misc. Nos. 9615 of 2026, 82521 of 2025 and 88866 of 2025 respectively. Lastly, it is submitted that the petitioner is a person of clean antecedent.

5. Learned APP for the State opposes the prayer for grant of anticipatory bail.

6. Having heard learned counsel for the parties and considering that there had been technical issue in uploading the status of ePOS machine, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-IV, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 452 of 2025, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) One of the bailors should be the family member/relative/known of the petitioner who shall provide



official document / personal affidavit to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Ajit Kumar, J)

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