

# Arjun Dubey vs The State Of Madhya Pradesh on 16 August, 2021

**Author: Satyendra Kumar Singh**

**Bench: Satyendra Kumar Singh**

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The High Court Of Madhya Pradesh

MCRC-38386-2021

(ARJUN DUBEY Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 16-08-2021

Heard through Video Conferencing.

Shri Bhavil Pandey, learned counsel for the applicant.

Shri Shailesh Khampariya, learned Panel Lawyer for the re

State.

Case diary is available With consent, heard finally.

This is first application filed under section 438 of Cr.P.C. for grant of anticipatory bail to the applicant, as he is apprehending his arrest in connection with Crime No.84/2021, registered at Police Station Ishan Nagar, District Chhatarpur for commission of offence punishable under Sections 420/34 of IPC.

As per prosecution story, it is alleged against the applicant that on 23.05.2021, the applicant in connivance with co-accused person with an intention to cheat the Government supplied 91 sacks of substandard wheat through the co-accused Rajesh Yadav.

Learned counsel for the applicant submitted that as the alleged act comes under the Special Act i.e. Food Safety and Standard Act, 2006, therefore, applicant cannot be enlarged under Indian Penal Code. Offences under Food Safety and Standard Act, 2006 are bailable. As alleged substandard wheat has already been seized, custodial interrogation of the applicant is not required, therefore, the applicant may be released on anticipatory bail.

Learned counsel for the respondent-State has opposed the application for anticipatory bail.

Having regard to the facts & circumstances of the case and the allegations made against the applicant, this Court is of the considered opinion that it is a Signature Not SAN Verified fit case for grant of anticipatory bail to the applicant. Hence, without 2 MCRC-38386-2021 expressing any opinion on merits of the matter, this application is allowed.

It is directed that in the event of arrest of the applicant he shall be enlarged on anticipatory bail upon his furnishing a personal bond in the sum o f Rs.50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount to the satisfaction of the Arresting Officer for his appearance before the Investigation Officer and the trial Court on all dates and for complying with the conditions enumerated in sub-section (2) of Section 438 of the Code of Criminal Procedure.

Certified copy as per rules.

(SATYENDRA KUMAR SINGH  
JUDGE

pnm

Signature  
SAN Not  
Verified