

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9720 of 2015

Arising Out of PS.Case No. -187 Year- 2014 Thana -MANIHARI District- KATIHAR
=====

1. Amit Kumar Son of Kameshwar Prasad Choudhary
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Adv.
Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Singh(App)
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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 12-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Manihari P.S. Case No. 187 of 2014 registered for the offence
punishable under Section 7 of Essential Commodities Act.

Petitioner was licensee dealer of fertilizer and when
his premises was raided, it was found that he had not maintained
the relevant registers regarding entry and selling of fertilizer and
furthermore, it was also detected that he had stored fertilizer at
different godown which had not been shown in the license.

The contention on behalf of the petitioner is that the
seized fertilizer has already been sold and the confiscation
proceeding has been initiated and the license of the petitioner has

already been cancelled. It is further contended by him that in the license of the petitioner 8 decimals area was shown but at the time of construction of house and godown the aforesaid fact was not in the mind of the petitioner and he extended his house and godown which is admittedly adjacent to the sanctioned godown.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Katihar in Manihari P.S. Case No. 187 of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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