

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47717 of 2014

Arising Out of PS.Case No. -139 Year- 2014 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Kanhaiya Prasad @ Rahul Kumar son of Shambhu Prasad Gupta resident
of Chawal Bazar, Raxaul, Ward No. 21, P.S. Raxaul, Distt. - East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Advocate
Mr. Sangeet Deokular, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma (APP)

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Raxual P.S. Case No. 139 of 2014 registered for the offences
punishable under Sections 120B of the Indian Penal Code and
Section 7 of the Essential Commodities Act.

Learned counsel for the petitioner submits that
petitioner is a proprietor of M/s Gayatri Traders, who deals in

fertilizer as retail licensee and the license number is 55 of 2011-12. It is further submitted that he has nothing to do with the truck for which the 400 bags of fertilizer were recovered nor is he interested in the godown from which 411 bags of fertilizer were recovered. It is further submitted that petitioner is a respectable business man and has been in the said trade since long without any blemish to his name but authorities without ascertaining the facts and circumstances, has lodged a case against him. As such, he is apprehending his arrest. It is further submitted that petitioner has got no criminal antecedents.

Considering the aforesaid submissions and the fact that petitioner has no criminal antecedents, let the petitioner, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Raxual at Motihari in connection with Raxual P.S. Case No. 139 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C..

(Anjana Mishra, J)

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