

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21998 of 2015

Arising out of PS.Case No. -1 Year- 2014 Thana -RAXAUL District- EAST
CHAMPARAN(MOTIHARI)

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Binod Kumar Gupta, S/o Sri Bishwanath Prasad @ Bishwa Mohan Pd.
Gupta, resident of Mohalla Koiriyatola Raxaul, P.S. + P.O. Raxaul, District
East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agrawal, Sr. Advocate & Mr.
Dhananjaya Nath Tiwari, Advocate.

For the Opposite Party : Mr. Gopesh Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-06-2015 The petitioner is languishing in custody since

10.03.2015 in connection with Raxaul P.S. Case No. 01 of 2014

for the offences instituted under Section 7 of the E.C. Act.

 Heard learned senior counsel for the petitioner and

learned counsel for the State.

 The prosecution story, in brief, is that on 26.12.2012,

the informant inspected the shop of the petitioner and found that

the accused person have stored different varieties of fertilizers and

it was further alleged that the proprietor has failed to produce the

stock register/sale register. One of the consumers made an

allegation that he purchased one bag of Urea fertilizer from the

petitioner's shop @ Rs. 375/- bag as such seizure was affected and the present case was registered against the petitioner and two others under Section 7 of the E.C. Act.

It has been submitted on behalf of the petitioner that the petitioner is the fertilizer dealer and he is a licensee. Though the allegation is made that he was selling the fertilizer in question at the higher price. The petitioner denies the said allegation and submits that there is no substantive piece of evidence to substantiate the allegations made in the F.I.R. Further it has been submitted that the petitioner has got no criminal antecedent and he is in custody since 10.03.2015.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Raxaul at Motihari, in connection with Raxaul P.S. Case No. 01 of 2014.

U.K./-

(Sudhir Singh, J)

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