

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12666 of 2015**

Arising Out of PS.Case No. -332 Year- 2013 Thana -BIRPUR District- SUPAUL

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1. Ganesh Kumar Dey @ Ganesh Kumar Dev Son of Late Nirmal Chandra Dey, Resident of Village - Baneilipatti, Police Station - Birpur, District - Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Dr. Kr.Uday Pratap(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

4      26-06-2015      Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Birpur P.S. Case No. 332 of 2013 registered for the offences punishable under Sections 7 (i) (9) (ii) of E.C. Act and 7, 8(2) of Fertilizer Control Order, 1985.

The accusation against the petitioner is that in huge quantity fertilizers were recovered from his business premises.

The contention on behalf of the petitioner is that earlier petitioner had valid license for selling the fertilizer but his license was expired on 31.03.2013 and, thereafter, he had kept the seized fertilizer for his personal use.

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 Sub Divisional Judicial Magistrate, Birpur, Supaul in Birpur P.S. Case No. 332 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

**(Hemant Kumar Srivastava, J)**

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