

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23815 of 2015

Arising Out of PS.Case No. -26 Year- 2015 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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1. Suresh Prasad S/o Sidheshwar Prasad, Prop. Shankar Traders Resident
of village - Noorsarai, Police Station - Noorsarai, District - Nalanda
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad
For the Opposite Party/s : Mr. Panchanand Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2015 Heard learned counsels for the petitioner and
the State.

Petitioner is apprehending his arrest in a
case registered for the offences punishable under Sections 420
of the Indian Penal Code and Section 7 of the Essential
Commodities Act.

The fertilizer shop namely M/S Durga Khad
Agency, Noorsarai Bazar belonging to one Bhola Prasad were
inspected when 100 bags of fertilizers were recovered who
suggested that he purchased it from the petitioner.

It is submitted by learned counsel for the
petitioner that petitioner never sold the alleged seized fertilizer
to Bhola Prasad nor any document to that effect has been
brought on record. Moreover, even assuming the accusation, no
offence under Section 420 of the Indian Penal Code or Section 7
of the Essential Commodities Act is made out against the

petitioner.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Noorsarai P.S. Case No. 26 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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