

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36086 of 2015

Arising Out of PS.Case No. -90 Year- 2015 Thana -JAMUI District- JAMUI

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Manoj Kumar Chandel S/o Krishnanandan Singh Resident of village -
Itasagar, P.S. Sikandara, District - Jamui

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 23-11-2015 Heard both sides.

The petitioner apprehends his arrest in Jamui P.S. Case No. 90/2015, registered for the offences punishable under Sections 406, 420 of the Indian Penal Code and 7 of the E. C. Act.

The Sub divisional Agriculture officer alleged that the petitioner did not maintain the stock and distribution register.

It is submitted that the petitioner is a whole-sale stockiest who distributed fertilizer to different licensees attached with the shop of the petitioner. There is no complain that the petitioner sold any fertilizer in black-market.

From perusal of the FIR itself, it appears that in the month of September, 2014, the petitioner distributed 64.60 M.T. excess urea against the allotment to the petitioner. Similarly in the month of February, 2015, the petitioner distributed 1417 MT of urea and there

should be 80 MT in the stock, but only 50 MT was found lying in the store.

It is further submitted that the petitioner did not sell the fertilizer in black-market. He used to maintain the entire stock register. There is no discrepancy and nobody has made complain about the black-marketing of the fertilizer to the licensees attached with the shop of the petitioner. The petitioner had earlier filed a complaint against the Joint Director, Agriculture, Munger and that is why this false case has been lodged.

Having considered the facts aforesaid that there is no allegation of black-marketing of fertilizer against the petitioner and it is only some discrepancy found in the stock register and distribution register, the petitioner above named in the event of his arrest or surrender in the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Sub Divisional Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 90/2015, subject to the conditions as laid down under Sections 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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