

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54151 of 2016

Arising Out of PS.Case No. -428 Year- 2016 Thana -PURNEA SADAR District- PURNIA

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1. Pankaj Poddar son of Bhim Poddar Resident of village Hansda, P.O. Gulabbagh, P.S. Sadar, District Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The application is for grant of bail for the offence under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

Allegation against the petitioner is of recovery of 25 bags of urea fertilizer.

It has been submitted on behalf of the petitioner that even if the case of the prosecution is found true, the seized article is within the permissible limit as specified by the government by notification. Further, it has been submitted that there is no compliance of Section 100 of the Code of Criminal Procedure and petitioner is in custody since 05.11.2016.



Heard learned A.P.P. also.

In view of the submission of the petitioner and there is no compliance of Section 100 of the Cr. P.C. while making the seizure list and the petitioner is in custody for about one month, let petitioner be enlarged on 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, Purnea in connection with Sadar P.S. Case No. 428 of 2016.

(Vinod Kumar Sinha, J)

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