

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50275 of 2015

Arising Out of PS.Case No. -194 Year- 2014 Thana -KOCHADHAMAN District- KISANGANJ

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Md. Subhani S/o Late Md. Taiyab Alam, R/o Sondha Naya Tola, P.S.-
Kochadhiman, District- Kishanganj and Prop. M/s Sayan Khad Beej
Bhandar, Sanstha, Police Station- Kochadhaman, District- Kishanganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Satish Kumar Sinha
For the Opposite Party : Mr. T.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 17-02-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Kochadhaman P.S. Case No. 194 of 2014 for the offences
instituted under Section 7 of the Essential Commodities Act.

As per the prosecution case that on 22.08.2014 the SHO
Kochadhaman P.S and the Circle Officer, Kochadhaman caught
one vehicle loaded with 100 bags of TCL urea fertilizer with the
driver Sajjad Khan and there was no paper of fertilizer with the
driver and on query the driver of the vehicle stated that the
fertilizer was loaded at Dalkola in Bangal and was being carried
away to the fertilizer shop of Md. Subhan of Sontha in the name of
Sayan Khad Bij Bhandar.

It has been submitted on behalf of the petitioner that the

petitioner has got no criminal antecedent. Petitioner is the owner of the pick-up van on which the alleged urea was being transported. The petitioner is not concerned with the urea in question. It is further submitted that the petitioner is ready to deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case.

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, it is directed that the petitioners shall deposit an amount of Rs.20,000/- in the court below which shall be subject to the final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Kochadhaman P.S. Case No. 194 of 2014/G.R.No.1514 of 2014 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, Kishanganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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