

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49382 of 2017

Arising Out of PS.Case No. -305 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Uma Shankar Pandeyson of Parash Nath Pandey Proprietor of M.S Sashi Kechua Khad Ikai, R/o Village- Nand Tola, P.O.- Ramparsauna , P.S.- Sathi, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Krishna Kumar Tiwary, Advocate

For the Opposite Party : Mr. Ganesh Prasad Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 14-12-2017 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner apprehends his arrest in connection with Bettiah Muffasil P.S. Case No. 305 of 2017, registered for the offences punishable under Sections 409/420 of the Indian Penal Code.

Allegedly, the petitioner being the licensee for manufacturing Burmi Compost was found using press mud, sand and ash of sugar factory to cheat the farmers. He was indulged in such activity causing loss of government revenue. Further the license of the petitioner was cancelled.

Submission is of false implication and that the



petitioner was not indulged in any illegal activities. The informant being annoyed has filed this false case. The petitioner has lodged Complaint Case No. 144 (c) of 2017 against the informant on 21.01.2017 and thereafter the F.I.R. has been lodged. The sample of Burmi Compost was sent for examination to Fertilizer and Pesticide Quality Control Laboratory Industrial Estate, Varanasi, where after testing the Burmi Compost produced from the unit of the petitioner was found standard. The Joint Director (Sasya) Tirhut Division, has inspected the unit of the petitioner and he has found the unit of the petitioner manufacturing Burmi Compost, vide Annexure-4. The petitioner has been implicated in false case and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that during investigation witnesses have supported the allegation.

In the facts and circumstances as stated above, considering the inspection report of the Joint Director vide Annexure- 4, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released 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 Chief Judicial Magistrate, Bettiah,



West Champaran, in connection with Bettiah Muffasil P.S. Case
No. 305 of 2017, subject to the conditions as laid down in section
438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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