

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53063 of 2017

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

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1. Pradeep Kumar Verma, Son of Late Birendra Prasad, resident of
Village- Ghogha, Police Station- Gopalpur, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 15-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bettiah Muffasil P.S.

Case No. 305 of 2017 instituted for the offence under Sections-409, 420
of the Indian Penal Code.

As per FIR, licence was given to the petitioner by
Agriculture Department, Government of Bihar for supply of Bermi
Compost Fertilizer. The company of this petitioner namely M/S Maruti
Agrotek started manufacturing sub standard Bermi Compost Fertilizer
and misused the government fund and, thereafter, his licence was
cancelled and FIR was lodged.

Counsel for the petitioner has pointed out towards
Annexure-2 series and submitted that Bermi Compost Fertilizer was
chemically examined and the same was found up-to-mark by the
District Agriculture Officer, West Champaran, Bettiah.

Counsel for the petitioner has submitted that from



perusal of Annexure-2, it will appear that the petitioner has not manufactured any sub standard Bermi Compost Fertilizer and he has not misused any grant of subsidy. Vague allegation has been levelled against the petitioner.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with in Bettiah Muffasil P.S. Case No. 305 of 2017 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will liable to cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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