

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69788 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- BARURAJ District- Muzaffarpur

Jagdish Sah, S/O Late Maharaj Sah, Proprietor, Jagdamba Khaad Beej
Kendra, R/V- Mahmada, P.S. Baruraj, District-Muzaffarpur.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Priyank Samdarshi, Advocate.
For the Opposite Party : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 420 of the IPC, 7(i)(a) and
(ii) of E.C. Act.

The prosecution story, in brief, is that on the basis of
confidential complain, on 28.08.2018, the informant and his
Team visited for inspection on the shop of the petitioner and
found that there was various variations found in the Store and
amount of residual fertilizers shown in the machine. The
petitioner has not maintained proper book of Stock Register,
Distribution Register, Price and Store Table and also the
petitioner took more price than fixed by the Government.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. The petitioner is a licensee Retail Dealer of fertilizer. There was no illegal storage of fertilizer. For oblique reason, the present case has been instituted by the informant.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. West, Muzaffarpur, in connection with Baruraj P.S. Case No. 214 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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