

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16330 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- THARTHARI District- Nalanda

MRITYUNJAY KUMAR @ MUNNA KUMAR @ MUNNA Son of Dwarika Prasad Resident of Village - Amera Kharjamma, P.S.- Tharthari, Distt - Nalanda, at present Proprietor of Ganesh Krishi Kendra, Tharthari Bazar, P.S.- Tharthari, Distt - Nalanda.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-03-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Tharthari P.S. Case No. 02 of 2019 for the offence under Section 420 of the Indian Penal Code and Section 7 of the E.C. Act.

The petitioner is a dealer in fertilizer. It is alleged against him that he was found selling fertilizer to the consumers on a rate higher than the rate fixed.

Learned counsel appearing on behalf of the petitioner has submitted that there is general and omnibus allegation against three dealers of similar nature and there is no specific allegation, referring to any particular transaction, in the First Information Report. It has also been argued that similarly circumstanced accused, namely, Birendra Kumar, has been allowed anticipatory bail by this Court by order dated



08.03.2019 passed in Cr. Misc. No. 14440 of 2019.

Considering the above submission, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, 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 the learned A.C.J.M., Hilsa, Nalanda in Tharthari P.S. Case No. 2 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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