

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58322 of 2019

Arising Out of PS. Case No.-516 Year-2018 Thana- KADAMKUAN District- Patna

AKASH KUMAR SONU Son of Sri Kaushlendra Singh Resident of Mohalla
- Rajputnagar Hajipur, P.S.- Hajipur Industrial, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal Mr. Vijay Anand Ms. Preety Kunwar
For the Opposite Party/s :		Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-09-2019 Heard learned Senior Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Kadamkuan Police Station Case No. 516 of 2018,
disclosing offences under Sections 13/18 of the Seeds Act, 1966
and Section 7 of the Essential Commodities Act.

The allegation against the petitioner, as per the First
Information Report, is that the petitioner is the proprietor of M/s
Raghoji House of Distribution and used to sell moong seeds of
IPM-2-3 in various district of Bihar by using monogram and
brand name of Uttarakhand Seeds & Tarai Development
Corporation Limited. It has been alleged that the seeds supplied
by the firm of the petitioner were found to be not produced or



supplied by the said Uttarakhand Seeds & Tarai Development Corporation Limited and local seeds were supplied by the petitioner by using name of Uttarakhand Seeds & Tarai Development Corporation Limited.

Learned Senior Counsel appearing on behalf of the petitioner submits that upon perusal of the First Information Report, it would be evident that the allegation against the petitioner has been levelled for violation of the provisions of Seeds Control Order, which is punishable under Section 7 of the Essential Commodities Act. He further submits that Section 7 of the Essential Commodities Act prescribes punishment of one year for violation of the control order, framed under Sections 3 (2) (h) and 3 (2) (i) of the Essential Commodities Act.

Having regard to the submissions made on behalf of the parties and taking into consideration the punishment prescribed for violation of the control order framed under Sections 3 (2) (h) and 3 (2) (i) of the Essential Commodities Act, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, Akash Kumar Sonu, in the event of his arrest or surrender before the Court below within four



weeks, 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 Sub Divisional Judicial Magistrate, Patna, in connection with Kadamkuan Police Station Case No. 516 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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