

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10675 of 2020

Arising Out of PS. Case No.-457 Year-2019 Thana- MALSALAMI District- Patna

NAWAL KISHORE ROY Son of Mahendra Roy Resident of Village -
Maharaj Ghat, Akhara, Maharaj Ghat, Patna City, P.S.- Khajekalan, Dist.-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Malsalami P.S. Case no. 457 of 2019 registered under section 188 of the Indian Penal Code and section 157 of the Environment (Protection) Act, 1986.

As per allegation in the FIR, on a raid being conducted on the factory of which the petitioner is the proprietor, it is stated that he was found manufacturing carry bag which has been banned in the State of Bihar and as such the goods were seized and the godown was sealed.

It is submitted by learned counsel for the petitioner



that the allegations as levelled in the FIR are false and concocted. No incriminating article was being manufactured nor has been recovered from the possession of the petitioner or the premises of the factory. The alleged seizure list was not served on the petitioner or any of his workers. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on anticipatory bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Malsalami P.S. Case no. 457 of 2019 he will be enlarged 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 Additional Chief Judicial Magistrate IV, Patna City subject to the condition as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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