

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28233 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- ITARHI District- Buxar

SATENDRA SINGH Son of Jagdish Singh Resident of Village - Kharwaniya,
P.S. - Dhansoi, District - Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-12-2021 Heard Mr. Anil Kumar Singh, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

Petitioner seeks regular bail in connection with Itarhi
P.S. Case No. 40 of 2021 registered for the offence under
Section 7 of the Essential Commodities Act, 1955.

The prosecution case as lodged by the Block
Agriculture Officer in brief is that a Pick- Up Van was seized by
the Police having 80 bags of fertilizer loaded upon it each bag
having a quantity of 45 kilogram of urea and on the basis of
phone no. written on the vehicle, a call was made upon that no.
which was picked up by one Mastan Bhai, who disclosed the



name of the petitioner as the owner of the vehicle.

Learned counsel for the petitioner submits that petitioner is not the owner of the vehicle in question and he is not concerned with the urea loaded upon it. He further submits that on the basis of information provided to the Police by one Mastan Bhai, a call had come from the Police Station to the petitioner regarding seizure of the vehicle and the petitioner was called in the Police Station upon which he visited the Police Station and was arrested alleging that at the time of seizure of the vehicle the petitioner was driving the Pick- Up Van in question. Learned counsel next submits that petitioner is neither the driver nor the owner of the vehicle and at the time of seizure of the vehicle by the Police on 08-02-2021 no F.I.R. was lodged by the Police nor the person driving the vehicle was arrested by the Police. Accordingly, submission is that petitioner has falsely been implicated in this case.

Regard being had to the submissions made by the parties and taking into consideration the fact that the petitioner is not the owner of the vehicle and was not arrested on the spot along with the vehicle and is in custody since 09/02/2021, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of learned SDJM, Buxar / concerned court in
connection with Itarhi P.S. Case No. 40 of 2021.

(Anil Kumar Sinha, J)

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