

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33175 of 2021

Arising Out of PS. Case No.-569 Year-2020 Thana- AMARPUR District- Banka

1. MUKESH KUMAR CHOUDHARY S/o Sri Kapildeo Choudhary Resident of Village- Paidapur, P.S.- Amarpur, District- Banka.
2. Pankaj Kumar Thakur S/o Late Upendra Narayan Thakur Resident of Village- Bidan Chak, P.S.- Amarpur, District- Banka.
3. Rajiv Sah S/o Sri Raj Kumar Sah Resident of Village- Kushmaha, P.S.- Amarpur, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv Ms.Preety Kunwar, Adv
For the State	:	Mr.Satyadeo Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 01-11-2021 Heard learned counsel for the parties.

Learned counsel for the petitioners submit that he does not intend to press this application with regard to petitioner no. 3, as during pendency of this application he has been arrested and this application with regard to his prayer for anticipatory bail has become infructuous.

Petitioner nos. 2 and 3 apprehend their arrest in a case registered for the offence punishable under Section 420 of the

Indian Penal Code and Section 7 of the Essential Commodities Act.

Allegation against petitioner nos. 2 and 3 is of black marketing Urea by allegedly selling 125 and 140 sacks of Urea to their co-villagers.

It has been submitted by learned senior counsel for the petitioner nos. 2 and 3 that they are innocent and have been falsely implicated in this case due to village politics. Petitioner nos. 2 and 3 have furnished details of the co-villagers to whom they have sold Urea which is also recorded in the books of accounts and EPOs machine supplied by the Government and no opportunity was granted to defend the allegations during enquiry.

Petitioners have got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner no. 2 and 3 named above be released on anticipatory bail in the event of their arrest or surrender before the court below within a period of four weeks from today upon furnishing bail bonds of Rs. 20,000/- each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Amarpur P.S. Case No. 569 of 2020**, subject to the conditions laid down under

Section 438(2) of the Cr.P.C.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--