

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28684 of 2020

Arising Out of PS. Case No.-168 Year-2020 Thana- PURNEA SADAR District- Purnia

Pankaj Kumar Choudhary, Son of Naresh Prasad Choudhary, Resident of
Village - Shani Mandir Gulabbagh, P.S.- Sadar, District - Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 27-01-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner is apprehending his arrest in connection with Purnia Sadar P.S. Case No.168 of 2020 registered for the offence punishable under Sections 143, 341, 353, 504 of the Indian Penal Code and Section 7(i)(a)(i) of the Essential Commodities Act.

The petitioner is a PDS licensee dealing in fertilizers. Irregularities are alleged to be found during a raid conducted of his marketing premises.

It is submitted by the petitioner's counsel that the petitioner bears a clan past. It is a false case based on extraneous considerations because the petitioner did not yield to the unjust demands of the raiding team. The petitioner has suffered on



account of his licence being cancelled on 27.05.2020, as a result of the alleged raid.

Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 C.J.M., Purnea, in connection with Purnia Sadar P.S. Case No.168 of 2020, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to



do so on two consecutive dates, his bail bond
will be liable to be cancelled.

This Court would expect that the petitioner's counsel
would honour his undertaking in the instant proceedings
regarding supply of the requisite court fee etc. within two weeks
from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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