

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45078 of 2021

Arising Out of PS. Case No.-416 Year-2021 Thana- KHAJANCHI HAT District- Purnia

VISHAL AGRAWAL Son of Badri Prasad Agrawal Resident of - Gulabbagh,
Hansdah, P.S.- Sadar, District - Purnea, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 47961 of 2021

Arising Out of PS. Case No.-416 Year-2021 Thana- KHAJANCHI HAT District- Purnia

BITTU AGRAWAL @ VIKASH AGRAWAL Son of - Badri Prasad Agrawal
Resident of - Gulabbagh, Hansdah, P.S. Sadar, District - Purnea, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 45078 of 2021)

For the Petitioner/s : Mrs.Preety Kunwar,Adv

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

(In CRIMINAL MISCELLANEOUS No. 47961 of 2021)

For the Petitioner/s : Mrs.Preety Kunwar,Adv

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 20-12-2021 Heard learned counsel for the parties in both the applications.

Let the defect(s), if any, be removed within two weeks after complete start of the physical Court.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Section 7 of the



Essential Commodities Act.

From a Truck, fertilizer was seized. Since the driver did not produce any document of authorized carrying of the fertilizer, the FIR was lodged.

Submission is that father of the petitioners and one of the petitioners-Bittu Agrawal @ Vikash Agrawal were wholesaler and retailer of fertilizer till 2012. Thereafter, they left the business and petitioner-Vishal Agrawal was never a dealer of fertilizer. Only suspicion is there, as some of the petitioners were in business of fertilizer in the past.

Considering nature of material, let the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with K.Hat (Maranga)Police Station Case No. 416 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioners shall fully cooperate with the



investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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