

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4039 of 2022

Arising Out of PS. Case No.-113 Year-2021 Thana- MARAUNA District- Supaul

NITISH KUMAR @ NARESH YADAV Son of Dukhi Yadav Resident of
Village - Gonoura, P.s.- Marauna, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of E.C. Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 06.09.2021 at about 4.30 P.M. during inquiry, it transpired that 108 bags of fertilizers was found from the Godown of Bharosh Kumar Yadav.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that petitioner is not named in the FIR and is brother of Bharosh Kumar Yadav as such he has been implicated



in the present case, it is further submitted that the alleged recovery is also from the godown of Bharosh Kumar Yadav and petitioner does not have any concern with the alleged godown of his brother.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and draws the attention of the Court to the impugned order to submit that during the course of investigation witnesses have stated that Urea was also found from the godown of this petitioner as it has come in Para-46, 47, 48 and 49 of the case diary.

Learned counsel for the petitioner rebuts the submission and submits that, if any, Uria was found from the godown of the petitioner then why petitioner was not named in the FIR.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Marauna P.S. Case



No. 113 of 2021 subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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