

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6628 of 2022

Arising Out of PS. Case No.-155 Year-2021 Thana- KOCHAS District- Rohtas

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SANJAY KUMAR SINGH SON OF UPENDRA KUMAR SINGH R/O
VILLAGE- CHATRA, P.S.- KOCHAS, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-08-2022 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 420 of the Indian Penal Code and Section 7(1)(a)(i) of E.C. Act.

As per the F.I.R., on 26.08.2021 at about 5.15 PM, the informant alongwith other officials raided the shop of petitioner and found that though, in the POS machine, Urea of 4 bags were recovered, but in godown, there was no urea. It is further alleged that Block Agricultural Officer, on enquiry, found that in KFCL POS machine, 282 bags were shown, but in the godown, only 135 bags were found and as such, an F.I.R. was lodged against petitioner for indulging in black-marketing of urea fertilizer.

It is submitted on behalf of petitioner that the allegation made in the F.I.R. is contrary to the actual facts. In fact, the POS machine was defective. There is huge discrepancy in actual figure in physical stock and figure showing in POS



machine, due to technical error showing in POS machine since 22.08.2021 and the petitioner tried his level best to rectify the problem, but due to cultivation time and demand of urea, it could not be done and manually, the stock ledger of urea/fertilizer was maintained and this is the reason that the POS machine was showing un-updated stock in figure. Petitioner has got clean antecedent.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sasaram in connection with Kochas P.S. Case No. 155 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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