

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8176 of 2022**

Arising Out of PS. Case No.-219 Year-2021 Thana- SANGRAMPUR District- Munger

ONKAR DAS SON OF LATE BAIJNATH DAS R/O VILLAGE-
CHANDANIYA, P.S.- SANGRAMPUR, DISTRICT- MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 04-08-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 7 of the E. C. Act and u/s 5, 4 and 28(1) of Fertilizer (Control) Order, 1985.

As per the prosecution case, 86 bags of Urea has been recovered from the residential house of this petitioner although license of the petitioner as authorized dealer was cancelled vide memo No. 7 dated 10.09.2020.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that petitioner and his family lives in jointness and fertilizer was purchased for agricultural purpose. It is next submitted that as per circular dated 24.03.2021, Ministry of Chemical and Fertilizer, Government of India a person is



entitled to purchase 1200 bags of subsidized fertilizer per month and recovered fertilizer is under permissible limit. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Sub divisional Judicial Magistrate, Munger in connection with Sangrampur PS case No. 219/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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