

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10436 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- JANKINAGAR District- Purnia

SHANKAR KUMAR GOUSAWAMI S/o Bishwanath Gousawami R/o
village- Ram Nagar Farsahi, P.S.- Janki Nagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 3(3) of FCO 1985 and section 7(1)(a)(ii) E.C. Act.

The allegation against the petitioner is of black marketing of fertilizers.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to local politics. No



such occurrence, in the manner as alleged, has ever taken place. Petitioner is the license holder of the fertilizer business and it is submitted that he has not sold fertilizer at price exceeding the maximum price or rate. It is further submitted that the license of the petitioner has been cancelled by the concerned Authorities. Petitioner has three criminal antecedents, as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the license of the petitioner has been cancelled, let him be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Janki Nagar P.S. Case No.186 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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