

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15163 of 2022

Arising Out of PS. Case No.-380 Year-2021 Thana- WAJIRGANJ District- Gaya

SANTANU KUMAR VERMA @ SANTANU KUMAR Son of Late Uday Prasad Resident of Village - Kenar, P.s.- Wazirganj, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2022 Heard the parties.

Learned counsel for the petitioner is directed to remove the defects within four weeks.

Petitioner apprehends his arrest in a case registered for offence punishable u/s 7 of E.C. Act and Fertilizer Control Order, 1985.

Allegedly, the petitioner was selling fertilizer without license in violation of Fertilizer Control Order 1985. 12 bags of urea was seized from the shop of the petitioner.

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. No such occurrence, in the manner as alleged, has ever taken place. It is alleged that Police has seized 12 bags of used fertilizer from the shop of the petitioner. As a matter of fact nothing is seized from his shop



rather the same was kept in his premises for personal agricultural use as petitioner possess more than 8 acres of agricultural land. It further submitted that the father of the petitioner was a PDS dealer, who is died now and the shop is in the name of father of the petitioner. After demise of his father, the said shop was closed and the petitioner brought the fertilizer in his shop. Petitioner has one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the petitioner is a farmer having more than 8 acres of agricultural land, let the above named petitioner, 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) each 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 Wazirganj P.S. Case No.380 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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