

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16364 of 2022

Arising Out of PS. Case No.-1024 Year-2021 Thana- TURKAULIYA District- East
Champaran

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1. RAJNISH KUMAR @ RAJNISH KUMAR PRASAD S/o Thakur Prasad
Resident of Siswa Bhaniyara, P.S. - Banjariya, District - East Champaran.
 2. Santosh Kumar S/o Sona Lal Thakur Resident of Siswa Bhaniyara, P.S. -
Banjariya, District - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-04-2022 Heard learned counsel for the petitioners and the State
through virtual mode.

Learned counsel for the petitioners is directed to remove
the defect(s), as pointed out by the office, within a period of four
weeks.

The petitioners are apprehending their arrest in Turkauliya
(Banjaria) P.S. Case No. 1024 of 2021 registered under Sections
341, 323, 353, 504, 34 of the Indian Penal Code and Section-7(i)(a)
(ii) of Essential Commodities Act.

Prosecution case in short is that without having valid licence,
the co-accused persons were selling urea fertilizer in black marketing
and when it was stopped by the informant, the local people protested
against it.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. A scuffle is said to have taken place between the parties. The local people are said to have protested against the initiative which was being taken by the informant to stop black marketing of urea fertilizer. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Turkauliya (Banjaria) P.S. Case No. 1024 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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