

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16656 of 2022**

Arising Out of PS. Case No.-85 Year-2021 Thana- TETERHAT District- Lakhisarai

CHANDAN KUMAR @ CHNDAN KUMAR Son of Late Shankar Saw
Resident of Village - P.O. and P.S.- Tetarhat, Block- Ramgarh Chowk, Distt.-
Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 22-09-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Section 7 of the Essential
Commodities Act and Sections 03(3)/05 of the Fertilizer Control
Order Act, 1985.

Learned counsel for the petitioner submits that petitioner
is a person with clean antecedent and is a dealer of urea.

The informant alleges that based on the direction of the
superior authority the present FIR is being instituted on the allegation
that the petitioner indulged in selling urea at a price higher than what
was fixed by the government.

Learned counsel for the petitioner submits that petitioner



has been falsely implicated in the present case. It is further submitted that the FIR does not even remotely disclose that at what rate the petitioner was selling the urea, as such, the allegation in the FIR is cryptic and vague. It is next submitted that an explanation was called for from the petitioner to which he replied but still the same was not taken into consideration and the present FIR came to be instituted.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Tetarhat P.S. Case No. 85 of 2021, S.L. No. 1240 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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