

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21532 of 2022**

Arising Out of PS. Case No.-209 Year-2021 Thana- HATHUA District- Gopalganj

JHULAN CHAUDHARY S/o Ramprit Chaudhary R/o village- Chanawe,  
P.S.- Thawe, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Lokesh Kumar Singh  
For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

5      10-11-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 7(1)(a)(i) (ii) of the Essential Commodities Act, 1955.

Allegation against the petitioner is that he is the driver of the seized pick up from which 40 bags of fertilizer was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is specific overt act against the petitioner. He submits that petitioner is not the owner of the fertilizer nor the owner of the said pick up van. He further submits that petitioner has no criminal antecedent as stated in



para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 Hathua P.S. Case No. 209 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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