

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30466 of 2022

Arising Out of PS. Case No.-287 Year-2021 Thana- PAKRIDAYAL District- East Champaran

OM PRAKASH TIWARI Son of Jamadar Tiwari Resident of village -
Rampur Babhantoli, Chaita, Ward No.- 13, P.S.- Rakridayal, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

For the Opposite Party/s : Mr.Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 3(3), 7(1)
(9)(2), 7 of the Fertilizer Control Order 1985 and 4, 7(1)(9)(2)
of the Fertilize Control Rules.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a dealer of
fertilizers under license issued by the Government.

Learned counsel for the petitioner denies the
allegation for irregularity in distribution of the fertilizers and at
the same time submits that he had already made a complaint to
the superior authority bringing to their notice that a theft had



taken place in his shop based on which an inquiry was conducted and in the inquiry it was alleged that there was a mismatch in the PoS machine and the bags kept in the shop, it is next submitted that petitioner has already suffered and even his license has been canceled leaving him without any livelihood presently.

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. 20,000/- (Rupees Twenty 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 Pakridayal P.S. Case No. 287 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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