

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45286 of 2021**

Arising Out of PS. Case No.-26 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

SHASHI PRATAP SINGH @ SHASHI PRATAP Son of Late Bhanu Pratap  
Singh Resident of Jai Bajrang Kisan Seva Kendra, Patel Chowk, Chainpur  
Road, Police Station- Bhabua, District- Bhabua, Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      01-04-2022                      Heard learned counsel for the petitioner and the State  
through virtual mode.

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

Learned counsel for the petitioner submits that  
inadvertently in the first paragraph of the petition, ***“Bhabua P.S.  
Case No. 26 of 2021”*** has wrongly been mentioned in place of  
***“Chainpur P.S. Case No. 26 of 2021”***.

Accordingly, counsel for the petitioner is permitted to  
make necessary correction in the first paragraph of the main  
petition.

The petitioner is apprehending his arrest in Chainpur P.S.



Case No. 26 of 2021 registered under Section 7 of the Essential Commodities Act, 1955 (for brevity “the Act, 1955”).

Allegedly, 40 bags Muriate of Potash was recovered and seized from shop of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused in the present case due to mistake of fact. 40 bags of Muriate of Potash is said to have been recovered from shop of the petitioner. The petitioner is a fertilizer dealer. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final outcome of the case.

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

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final outcome of the case. On doing so, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with



two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Chainpur P.S. Case No. 26 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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