

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38553 of 2022**

Arising Out of PS. Case No.-166 Year-2022 Thana- ARARIA District- Araria

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Haidar @ Mohammad Haidar @ Mohammad Haidar Ali S/O Md. Enus  
Resident of village- Nandanpur, Ward No.06 Mirjapur, P.S.- Basathi, District-  
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Saroj Kumar Sharma

For the Opposite Party/s : Mr.Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      01-12-2022                      Heard learned counsel for the petitioner and learned  
APP for the State.

The instant application for anticipatory bail has been  
filed by the petitioner apprehending his arrest in connection  
with Araria P.S. Case no. 166 of 2022 instituted for the offence  
under Section 7 of the E.C. Act and Section 7 of the Fertilizer  
(Control) Order.

Prosecution case relates to recovery of 80 bags of  
Urea Fertilizers loaded in the sized pick up Bolero bearing Reg.  
No. BR11GD-2362 and 90 sacks of Urea loaded on Pick up  
bolero bearing Reg. No. BR38GA-1032.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has got no criminal antecedent. It is further



submitted that petitioner has no concern with the alleged sized Urea Fertilizers or vehicles in question. The seized vehicle in question bearing Reg. No. BR38GA-1032 was registered on the name of petitioner's father and was used for commercial purpose. It is further submitted that the petitioner is neither a PDS Dealer nor he was arrested on spot.

Learned APP appearing for the state has opposed the prayer of anticipatory bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Araria P.S. Case no. 166 of 2022, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Araria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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