

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.39338 of 2022**

Arising Out of PS. Case No.-181 Year-2021 Thana- BABUBARHI District- Madhubani

PAWAN SINGH @ PAWANDEO SINGH Son of Late Jualal Singh Resident  
of village - Balanser, P.O.- Sonp ap apprehends his arrest prehends his  
arrest atahi, P.S.- Babubarhi, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      03-11-2022                      The learned counsel for the petitioner is directed to  
remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as the  
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with  
Babubarhi P.S. Case No. 181 of 2021, registered for the offences  
punishable under Section 420 of the Indian Penal Code and Section 7  
of the Essential Commodities Act and Sections 7, 3 and 5 of the  
Fertilizer Control Order, 1985.

As per allegation, 130 bags of fertilizers were recovered  
from the house of the petitioner.

The learned counsel for the petitioner has submitted that  
the petitioner is not the licensee and he is a person of clean  
antecedent. He is under custody since 26.04.2022.



On the other hand, the learned Additional Public Prosecutor has opposed the prayer for bail.

Considering the above-mentioned facts and circumstances, especially the clean antecedent of the petitioner, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1<sup>st</sup> Madhubani, in connection with Babubarhi P.S. Case No. 181 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey, J)**

Nirmal/Mahesh

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