

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59721 of 2021

Arising Out of PS. Case No.-144 Year-2021 Thana- MAJORGANJ District- Sitamarhi

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AMRENDRA KUMAR SINGH Son of Sri Vishwanath Prasad Singh
Resident of Village - Khairwa Baidhnathpur, Ward No.- 13, P.S. - Majorganj,
District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

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

ORAL ORDER

2 12-07-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioner and

learned APP for the State.

The petitioner apprehends his arrest for the

offences alleged under Section 7 of the Essential Commodities

Act, 1955, registered in connection with Majorganj P.S.Case No.

144 of 2021.

As per allegation mentioned in the FIR, the

fertilizer shop of the petitioner was raided and a number of

irregularities were found. The price list was not displayed,

neither the stock register in respect of the fertilizer was



displayed, due to which the consumers did not get proper information. It is also alleged that the petitioner was selling fertilizer on higher price than that was prescribed by the Government. During inspection, the stock was not found maintained in distribution register. It has also been mentioned that the petitioner had given written statement to the raiding authority.

The learned counsel for the petitioner has submitted that the entire allegation is false. The petitioner had never furnished any written statement before the raiding authority. He has submitted further that in similar matter, though in another police station case number, some accused persons have been granted anticipatory bail.

There is allegation that the petitioner was selling fertilizer at higher price than that was prescribed by the Government. As per Rule, he did not maintain the register, due to which the *bona fide* consumers were not getting proper information. The stock found at the time of raiding was not maintained in prescribed register.

Considering the above facts and circumstances, the anticipatory bail is disposed of with the direction that the petitioner shall surrender before the court below within six



weeks and make a prayer for regular bail, which shall be disposed of on its own merit, without being prejudiced by this order on the same day.

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

(Nawneet Kumar Pandey, J)

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