

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59947 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- BARGAINIA District- Sitamarhi

Kripa Sindhu Jha S/O Late Prasad Jha R/O Village And P.O-Bengahi, Ward
No 12, P.S.-BAIRGANIYA, District-Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-04-2022 Heard learned counsel for the petitioner and learned APP
for the State.

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

The petitioner is apprehending his arrest in a case
registered under Section 7 of the Essential Commodities Act.

Allegation is that the petitioner sold urea at Rs.320/- per
bag. However, the government has fixed Rs.266/- per bag. The
petitioner did not give any receipt.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused due to mistake of
fact. Except for ocular evidence, there is no such documentary
evidence to show that the petitioner has sold urea at higher price than



the price fixed by the government. It is further submitted that the petitioner is ready to deposit an amount of Rs.25,000/- (Rupees twenty five thousand) in the court below, which shall be subject to the final disposal 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 facts and circumstances of the case, **the petitioner is directed to deposit an amount of Rs.25,000/- (Rupees twenty five thousand) in the court below, which shall be subject to the final disposal of the case.** On doing so, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Bairgania P.S. case No.160/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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