

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61682 of 2021

Arising Out of PS. Case No.-187 Year-2021 Thana- JANKINAGAR District- Purnia

Shambhu Nath Gouswami @ Shambhunath Goswami, son of Vishwanath Goswami, R/O Village- Ramnagar Farasahi, Ward No.-08, P.S.- Janakinagar, District- Purnia, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Senior Advocate
		Ms. Preety Kunwar, Advocate
For the Opposite Party	:	Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 25-05-2022

Heard learned counsel for the parties.

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

This application for anticipatory bail arises out of Jankinagar P.S. Case No. 187 of 2021 for the offence punishable under Section 3(3) of the Fertilizer Control Order, 1985 and under Section 7(1)(a),(ii) of the Essential Commodities Act.

It has been submitted by learned Senior Counsel for the petitioner that P.D.S. license of the petitioner has been cancelled because of allegations. It has also been submitted that the petitioner has clean antecedent and for the last 12 years, no complaint was made against him. It has further been submitted that the allegation of not issuing cash memo cannot stand



because now the fertilizers are being delivered through EPOSS machine.

Considering the aforesaid submissions and also the fact that there is no chance of absconding the petitioner, this anticipatory bail application is allowed.

Accordingly, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Purnea, in connection with Jankinagar P.S. Case No. 187 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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