

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64290 of 2021

Arising Out of PS. Case No.-267 Year-2021 Thana- NAANPUR District- Sitamarhi

Saroj Kumar Gupta S/O Late Upendra Prasad Gupta R/o village- Ward No. 03
Mohani, Mohni Sakrauli, P.S.- Nanpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Ms. Preety Kunwar, Advocate
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in Nanpur P.S.
Case No. 267 of 2021, registered for the offences punishable
under Sections 419, 420 of the Indian Penal Code and section 7
of the Essential Commodities Act.

On the direction of District Agricultural Officer FIR,
inspection was made on 14.08.2021 and during inspection, it
was found that there was inconsistency in the available stock in
the shop and stock in the e-POSS Machine and also found
storage of huge stock of illegal fertilizers in the shop and
thereafter the said fertilizer and other articles were seized.
Thereafter, FIR was lodged against the petitioner being



proprietor of M/s Hariyali Kheti Wari Kendra, Mohni, Mahua Gachhi. Thereafter, license of the shop of petitioner was also cancelled.

It is submitted that petitioner has been falsely implicated in this case. There is no prescribed limit of storage. At the time of inspection, petitioner was not present. Moreover, license of the shop of petitioner has also been cancelled.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Sitamarhi in connection with Nanpur P.S. Case No. 267 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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