

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53751 of 2022

Arising Out of PS. Case No.-194 Year-2022 Thana- MAJORGANJ District- Sitamarhi

Nitish Kumar Son of Bijay Nandan Mishra Resident of Village - Marpa
Sirpal, P.s.- Majorganj, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Ashok Kumar Jha, Advocate
		Mr. Kumar Rajdeep, Advocate
For the Opposite Party/s :		Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-12-2022 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offences punishable under Section 7 of Essential
Commodities Act.

As per prosecution case, on the basis of confidential
information the informant along with Block Development
Officer and others raided the fertilizer shop of the petitioner
where 2 trucks were found loaded with urea. It is alleged that
the petitioner was storing urea fertilizer for the purpose of black
marketing.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. Petitioner is licensee of the said shop and only on



suspicion he has been made accused in this case. After institution of the present case the license of the petitioner has been suspended by the District Agriculture Officer, Sitamarhi. Petitioner is neither owner of the trucks in question nor concerned with the alleged recovery from the truck or the rooms. In fact, petitioner stored 79 bags of fertilizers in his stock and 107 bags were given to him on *Jimmenana* which were seized in connection with Majorganj P. S. Case No. 178 of 2022.

Considering the aforesaid facts and circumstances, let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, 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 Sub Divisional Judicial Magistrate, Sadar, Sitamarhi in Majorganj P. S. Case No. 194 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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