

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65282 of 2021

Arising Out of PS. Case No.-241 Year-2021 Thana- CHIRAIYA District- East Champaran

MD. ALAM S/o Sheikh Jokhu Mohammad R/o village- Kathmalia, P.S.-
Shikarganj, District- East Champaran (Bihar)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Zaki Haider, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 409 and 420 of the Indian Penal Code and Section 3(3) of the Fertilizer Control Order, 1985 and Section 7(I)(a)(ii) of Essential Commodities Act.

The crux of the allegation is that the urea is to be sold on the price fixed by the government, despite of that petitioner was selling urea on excess price of Rs.300 to 325/-.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case. He further submits that on Whatsapp, there is no any whisper of evidence against the petitioner to show that such amount was



paid to the petitioner as the cost of the fertilizer. He further submits that there is no any complain or documentary evidence to prove that the urea was being sold by the petitioner on excess price. He further submits that there is no any complaint earlier also against the petitioner and his son regarding violation of fertilizer Control order and during course of investigation, the police did not found any incriminating article against this petitioner. Petitioner has got clean antecedent.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid submissions, let the petitioner above named in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikrahana at Dhaka, District – East Champaran in connection with Chiraiya (Shikarganj) P.S. Case No. 241 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

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