

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66557 of 2021

Arising Out of PS. Case No.-282 Year-2021 Thana- TARAIYA District- Saran

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RAGHUBANSH KUMAR Son of Durbal Singh Resident of Village- Taraiya,
P.O. Taraiya, P.S.- Taraiya, District- Saran at Chapara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-07-2022 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 Section 7 of the Essential Commodities Act.

Allegation against the petitioner is that the petitioner, who is proprietor of M/S Raghubansh Khad Beez Bhandar, Taraiya Bazar, sold Neem Coated IFFCO Urea of 45 bags weighing 45 kgs. each to one Madanjit Kumar Rai. The Inquiry Officer found that only one bag of 45 kgs. has been sold to Madanjit Kumar. In inquiry, it has also transpired that there is no entry on sale register regarding the Urea sold in the name of Madanjit Kumar.

It is submitted by learned counsel for the petitioner



that the petitioner has falsely been implicated in this case. He further submits that the petitioner is a proprietor of Raghubansh Khad Beez Bhandar, Tariya who sold only one bag Neem coated Urea weighing 45 kgs on 19.07.2021 to Madanjit Kumar Yadav but due to mistake in POC, by mistake made entry of 45 bags in place of 45 kgs and in this regard on the same day, the petitioner informed to the informant who realized the factual aspect of the matter but on 25.08.2021, the informant along with 10 other people came at the shop of the petitioner and said that the blackmailing of 45 bags of urea have been made by you. He further submits that the petitioner file an application regarding the matter before District Agriculture Officer, Saran at Chapra wherein, he has categorically stated the factual aspect of the matter and also prayed for physical verification of godown because the rest bags of fertilizer are kept in his godown. In the said application, the petitioner has also stated that the concerned authority/informant has not given any chance to prove his innocence, which is beyond the natural justice. 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, Saran at Chapra in connection with Taraiya P.S. Case No. 282 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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