

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58947 of 2022

Arising Out of PS. Case No.-1024 Year-2021 Thana- TURKAULIYA District- East
Champaran

=====

PREM SAH S/O GUJAR SAH Resident of village- Siswa Sanichra Asthan,
P.S.- Banjaria, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abbishek Kumar, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 341, 323, 353, 504, 34 of IPC.

Allegedly, without having valid licence, the co-accused
persons including the petitioner were selling urea fertilizer in black
marketing and when they were asked for licence, they abused the
informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He has
been falsely implicated in this case at the instance of his enemies.
No such occurrence, in the manner as alleged, has ever taken
place. The entire allegation against the petitioner is false and
fabricated. The allegation against the petitioner is only that he
abused the informant alongwith 50 unknown persons. There is no



specific allegation against the petitioner. Petitioner has no concern with co-accused Rakesh Kumar. He is neither the distributor nor the vendor of the fertilizer in question. The similarly situated co-accused have been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr.Misc.No. 16364 of 2022 and Cr.Misc. No. 16782 of 2022 vide order dated 08.04.2022. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused have been granted anticipatory bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Turkauliya (Banjaria) P.S. Case No.1024 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

