

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72178 of 2021

Arising Out of PS. Case No.-138 Year-2021 Thana- RAJPUR District- Rohtas

RAJU KUMAR Son of Sri Surendra Prasad Gupta Resident of Village -
Rajpur, P.s.- Rajpur, Distt.- Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 01-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehend his arrest in a case registered for the offence punishable under sections 3(3) 7 of Fertilizer Control Order 1985 and 7(i)(a)(ii) of Essential Commodity Act 1985.

The allegation against the petitioner is that his shop was illegally selling Gronor Urea at higher prices. A truck loaded with 600 bags of Gronor Urea was seized. The driver of the said truck disclosed the name of M/s Raju Enterprises, which is owned by the petitioner.

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. No such occurrence, in



the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. It is submitted that the petitioner is not named in the F.I.R. and his name came from the confessional statement of the driver of the said truck. The petitioner has not been apprehended on the spot and has no concern with the co-accused persons. No independent witness has supported this prosecution case Petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, since there is a direct allegation against the petitioner, I am not inclined to grant bail to the petitioner. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly, dismissed.

(Anjani Kumar Sharan, J)

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