

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4578 of 2023

Arising Out of PS. Case No.-188 Year-2022 Thana- FORBESGANJ District- Araria

Sumit Kumar Yadav Son Of Pradip Yadav @ Pradeep Yadav Resident Of
Sultanpakher, Ward No. 3, P.S.- Forbesganj, District- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act and section 7(i)(a)(ii) of Fertilizer Control Order.

As per the prosecution case, on the alleged date and time of occurrence a truck bearing Reg. No. BR-11/GC0157 loaded with 111 sacks of IPL Urea fertilizer was seized and the driver Victor Yadav was caught who disclosed that loaded fertilizer was to be unloaded at the shop of this petitioner. The informant being District Agriculture Officer, Araria on enquiry has found, the seized fertilizer were illegally being transported for sale in black-marketing at the instance of this petitioner.



It is submitted that petitioner is only alleged to be intended purchaser. Nothing has been recovered from possession of this petitioner and the petitioner has got nothing to do with the alleged recovery. Petitioner is neither driver nor owner of vehicle in question. Petitioner claims clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 188 of 2022 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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