

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10115 of 2023**

Arising Out of PS. Case No.-190 Year-2022 Thana- GWALPARA District- Madhepura

Mithun Kumar S/O Rajendra Yadav R/v- Fulaut, P.S.- Chousa, District-
Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 23-06-2023 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.

Allegation is that petitioner is proprietor of one Sakshi
Khad Bhandar. One tractor bearing registration No.
BR43GA0201 loaded with Urea of Yara and Ujjawala with Bill
No. 799 dated 03.09.2022 issued by Sakshi Khad Bhandar was
seized. Petitioner is the owner of seized tractor and he is alleged
to be involved in black-marketing of fertilizer.

It is submitted that petitioner has been falsely
implicated in this case. He neither issued the bill nor Jay
Mahadv Fertilizer purchased Urea from his shop. Petitioner is



not licensee of Urea of the Company Yara and Ujjwala, and as such, petitioner cannot be held responsible for the seized fertilizer of Company Yara and Ujjwala. Petitioner claims clean antecedents.

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 Sub-Divisional Judicial Magistrate, Udakishanganj, Madhepura in connection with Gwalpara P.S. Case No. 190 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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