

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13692 of 2023

Arising Out of PS. Case No.-134 Year-2022 Thana- FULKAHA District- Araria

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Lalo Kumar @ Laloo Kumar S/O Mahanand Yadav Resident Of Village-
Kushmaul, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of the E.C. Act.

As per the prosecution case, on the confidential information, the informant and other officials reached at the place of occurrence and found that 66 bags of fertilizer were kept near the road and pickup van of the petitioner is standing near the fertilizer.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature.



He submits that the petitioner is the owner of the vehicle and has no concern with the alleged 66 bags of fertilizer. He submits that the seized quantity is less than 10 metric tones, which does not require license as per the notification issued vide Notification No. 5F-45/90-8970 dated 17.10.1992. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, 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 Fulkaha P.S. Case No. 134 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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