

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10442 of 2023

Arising Out of PS. Case No.-23 Year-2022 Thana- NAUHATTA District- Saharsa

1. SIKANDAR YADAV @ SIKENDAR YADAV Son of Rambriksh Yadav R/V- Maricha (Bakaur) Ward no. 13, P.S- Supaul, Dist- Supaul
2. Ajay Kumar Yadav Son of Arjun Yadav R/V- Maricha (Bakaur) Ward no. 13, P.S- Supaul Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 420/120B of the IPC and section 7 of Essential Commodities Act.

Altogether 84 packet fertilizer was recovered from the tractor of petitioner no.1. Petitioner no.2 is the driver of the said tractor.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case on suspicion. It is submitted that no incriminating article has been recovered from the said tractor. The petitioners were granted the benefit of



section 41(a) of the Cr.P.C. Later on, chargesheet was submitted u/s 7 of the E.C. Act. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each 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 Nauhatta P.S. Case No.23 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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