

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13402 of 2023

Arising Out of PS. Case No.-310 Year-2022 Thana- BHAWANIPUR District- Purnia

CHHATHU BHAGAT S/O Chand Kishore Bhagat R/O Village- Lathi, P.S-
Bhawanipur, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Adv.

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

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 Sections 7, 28(i) (a) of the Fertilizer Control Order and Section 7, 7(i) (a) (ii) of the E.C. Act.

Allegedly, petitioner is said to have stored fertilizer without having any valid license.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to local politics. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has not kept the alleged fertilizer



in his house for black marketing purpose. He is a farmer and he kept the alleged fertilizer for cultivating about 9 acres of land. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, as petitioner is farmer and he uses the fertilizer for cultivating the land, 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 Bhawanipur P.S. Case No. 310 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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