

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14895 of 2023

Arising Out of PS. Case No.-613 Year-2022 Thana- KHARHAGPUR District- Munger

SANJAY KUMAR KESHRI @ SANJAY KESHRI S/o Radhika Prasad
Keshari R/o Mohalla- Ambedkar Chowk, P.S.- Haweli Kharagpur, Distt-
Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sevak Choudhary

For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act pending in the learned court below.

As per the prosecution case, on 16.12.2022 on the godown of Sanjay Keshri, large number of persons gathered for purchase of fertilizer amongst them two persons are said to have given one thousand rupees for two bags of fertilizer, after receiving information, informant reached near the place of occurrence and he received two written statement of two persons and then he kept key of the godown and on instruction of higher authority next day i.e. on 17.12.2022 prepared seizure list and after seal of godown key handed over the Ritesh Kumar Singh.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.



He further submits that the petitioner is a license holder of the shop of the fertilizer. He submits that the petitioner is never involved in such type of cases either directly or indirectly which is evident, that no any such type of complaint was filed in past and he sales fertilizer always at the Government fixed price. He further submits that during investigation the I.O. of the case miserably failed to collect any cogent or relevant material against the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kharagpur P.S. Case No.613/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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