

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16075 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- CHAKIA District- East Champaran

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MOHAN KUMAR Son of Late Kapildev Sah Residence of village - Professor
Colony Chakia, P.S.- Chakia, Dist.- East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-06-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 419, 420, 467, 468, 471, 34, 482, 483 of the Indian Penal Code 7(1)(a) (I), 7(1)(a) (ii) of EC Act and Fertilizer Control Order 1985, 19(c) (iv), Section 13 Seeds Control Order, 1983.

Allegedly, the petitioner and other co-accused persons are said to be involved in illegal business of packaging and selling of mixed fertilizers under branded names.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. It is submitted that some accused persons were apprehended by the police and they disclosed the name of the petitioner. There is no recovery from the physical conscious possession of the petitioner or from the house of the petitioner. There is no specific overt act against the petitioner. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

Accordingly, this application is dismissed.

(Anjani Kumar Sharan, J)

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