

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18086 of 2023

Arising Out of PS. Case No.-283 Year-2022 Thana- NALANDA District- Nalanda

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Arun Kumar S/O Ram Chandra Prasad R/O Village- Sarilchak, P.S- Nalanda,
Distt.- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Raj Kishor Prasad, Adv.
For the Opposite Party/s	:	Mr. Parmeshwar Mehta, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned senior 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 Sections 7 of the E.C. Act of the Indian Penal Code pending in the learned court below.

As per the prosecution case, on inspection, the stock position in the POSH machine was found Zero but on physical verification 136 bags of Urea and 2 bags of Chand Chhap Urea was found and no document in relation to the recovered bags of urea were produced. It is further alleged that the inspection was made in the premises of petitioner which was taken on rent which is too illegal.

Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that the FIR is cryptic and sketchy and



it does not disclose as to which provision of the fertilizer control order, it has been contravened by the petitioner. He submits that license of the petitioner was suspended by the District Agricultural Officer on 13.03.2023. He submits that neither eye witness nor the independent witness has supported the version of the Police. 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 and the fact that license of the petitioner was suspended by the concerned authorities, 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 Nalanda P.S. Case No.283/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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