

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20346 of 2023

Arising Out of PS. Case No.-20 Year-2023 Thana- HATHUA District- Gopalganj

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Dhanraj Kumar Singh Son Of Late Brahma Singh R/O Village- Bada
Koirauli, P.O.- Bada Koirauli, P.S.- Hathua, District- Gopalganj
... .. Petitioner

Versus

The state of bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Shahi, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Hathua P.S. Case No. 20 of 2023 dated 19.01.2023, instituted
for the offences punishable under Section 420 of the Indian
Penal Code and under Section 7 of the Essential Commodity
Act, 1955.

3. Allegation is against the petitioner, Driver and
Co-driver of the Vehicle, bearing registration No. BR-28-GA-
9011 of black marketing of the fertilizer Urea.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and he has falsely been implicated in
this case. It is submitted that the petitioner is the younger



brother of Baldev Kumar, who has valid business dealer license in fertilizer at Hathua. In support of this contention the said license has been annexed as Annexure 2 series in the name of the brother of the petitioner, valid from 15.12.2022 to 14.12.2027. It is further submitted that 100 bags of Urea (each contained 45 Kg) validly purchased from the authorized dealer, “Om Sai Traders”. A *challan* was issued by the said dealer on 18.01.2023 wherein the truck No. UP-53-T-8066 was mentioned in the said *challan*. It is further submitted that the petitioner is aged about 18 years and student of Class X in Dr. Rajendra Prasad High School, Hathua and he has no concern with the business of his elder brother, in absence of his elder brother, namely, Baldev Kumar Singh he was called upon by the police for supply of relevant paper relating to the seized Urea, he produced the documents before the Police personnel of Hathua Police Station and thereafter, he was apprehend by the Police. Lastly, it has been submitted that the petitioner is in custody since 20.01.2023, has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Gopalganj in Hathua P.S. Case No. 20 of 2023.

(Khatim Reza, J)

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