

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24126 of 2023

Arising Out of PS. Case No.-677 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Ravi Kumar S/O Late Birbal Prasad Gupta R/O Village- Bengha, Ward No.-4,
P.O, P.S And Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-07-2023 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 Section 7(1)(a)(ii) of the E.C. Act and Section 5 of the Fertilizer Control Order, 1985.

As per the prosecution case, the allegation against the petitioner is that he has issued forged invoice of 465.40 metric tons urea and black marketing has been committed by him.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is a license holder to sell fertilizers and during the



inquiry, it is found some discrepancy in the stock register, therefore, present case was lodged against the petitioner and the license was cancelled. He further submits that the petitioner has filed a plea before the concerned authority and concerned authority set aside the order of the cancellation of license of the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Considering the facts and circumstances of the case, 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 Saharsa P.S. Case No. 677 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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