

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24375 of 2023

Arising Out of PS. Case No.-129 Year-2021 Thana- NAUHATTA District- Saharsa

Shrawan Kumar Choudhary @ Sharwan Kumar Choudhary Son of Chhedi Choudhari Resident of village Chandrayan, P.S. Nauhatta (Nawhatta), Distt. Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Madhumala Kumari, Advocate
For the State : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Nauhatta (Nawhatta) P.S. Case No.129 of 2021, registered for the offence punishable under Section 7(1)(a)(ii) of the Essential Commodities Act.

The prosecution case, in brief, is that a joint investigation team constituted by the District Agriculture Officer, Saharsa has reported that quantity of fertilizer displayed in the POS machine, quantity of fertilizer displayed on the stock register and quantity of fertilizer available in the stock was found to be different in M/s Vijay Traders.

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



present case. It is further submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail petition. It is submitted that no consumer or agriculturist has made any complaint against the petitioner. The petitioner has not violated any order issued under Section 3 of the E.C. Act. It is also submitted that chargesheet has been submitted in this case giving him benefit of Section 41-A Cr.P.C.

Learned APP for the State opposed the prayer for grant of anticipatory bail to the petitioner.

Taking into consideration the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Saharsa in connection with Nauhatta (Nawhatta) P.S. Case No.129 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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