

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25857 of 2023

Arising Out of PS. Case No.-85 Year-2022 Thana- INARWA District- West Champaran

1. HARIS CHANDRA YADAV SON OF LATE MANGAL YADAV Resident of Village - Jhajhari, P.S. - Inarwa, District - West Champaran
2. MOTILAL SAH SON OF LATE DWARIKA SAH Resident of Village - Jhajhari, P.S. - Inarwa, District - West Champaran
3. SANTOSH SAH SON OF LATE RAJENDRA SAH Resident of Village - Jhajhari, P.S. - Inarwa, District - West Champaran

... .. Petitioners.

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhagya Narayan Jha
For the Opposite Party/s : Mr. Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Vide order dated 01.06.2023, the prayer for bail of
petitioner no.3 has already been dismissed as withdrawn.

Now, this application survives only for petitioner
nos.1 and 2.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Section 414/34 of
the Indian Penal Code and Section 7 of the E.C. Act.

The allegation against the petitioners is that they
were carrying urea fertilizer tied on back of motorcycle and



seeing the police party they managed to escape.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case being owner of the seized motorcycles. As a matter of fact, the petitioners are farmers and they were carrying the aforesaid urea for their use in farm. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Inarwa P.S. Case No.85 of 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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