

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28061 of 2023

Arising Out of PS. Case No.-741 Year-2022 Thana- TURKAULIYA District- East
Champaran

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SANJAY SAH Son of Ramdev Sah Resident of village - Parsauna, P.S.-
Turkauliya, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2023 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 7 of the Essential
Commodities Act.

3. The informant alleges that a pickup van loaded with
fertilizer was apprehended Bail Ghat, Urdu Primary School, and the
driver fled and from the apprehended vehicle 2025 kg of urea was
recovered, thus alleges that driver along with the owner of the pickup
van were indulging in black marketing of fertilizer.

4. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent.

5. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the present case, it is next
submitted that the petitioner is not named in the FIR nor he was
present at the place of occurrence but being driver, he has been



implicated, it is next submitted that even presuming what has been alleged is true without admitting, then being driver the petitioner was merely carrying the orders of the owner of the pickup van who had loaded the fertilizer, it is next submitted that the petitioner was completely unaware that the owner of the vehicle had loaded stolen fertilizer.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Turkauliya P.S. Case No. 741 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

HarshPandey/-

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