

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28207 of 2023

Arising Out of PS. Case No.-242 Year-2022 Thana- BALRAMPUR District- Katihar

AKHTAR HUSSAIN Son of Zaffuarl Haque @ Zafirul Haque Resident of
Village - Islam Nagar, Madhopara, P.S. - Purnia, Distt. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad, Advocate

For the Opposite Party/s : Mr. Parmeshwar Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
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 offence punishable under Section 7 of the Essential Commodities Act.

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

The informant alleges that 666 bags of urea fertilizer was found in a truck and the driver fled away.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner is not a licensee of fertilizer. It is next submitted that a licensee had hired his truck for transporting urea and as such the petitioner was not aware that the urea which was loaded on the truck was meant for the



purposes of misappropriation. It is also submitted that petitioner being the owner of the truck has been apprehended.

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

Considering the submissions aforesaid and the fact that petitioner is a person with clean antecedent and is a businessman, the 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 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 court below where the case is pending/successor court in connection with Balrampur P.S. Case No. 242 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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