

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33785 of 2023

Arising Out of PS. Case No.-32 Year-2023 Thana- PURNEA SADAR District- Purnia

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Gautam Das @ Gautam Sarkar Son of Shri Gopal Chandra Sarkar Resident of
Belouri, P.O - Belouri, East Purnea Distt. Purnea (Bihar) - 854326 Partner of
M/s Amrita Industries, Belouri P.S. - Sadar (Mufashil), Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aamir Hayat

For the Opposite Party/s : Mr.Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act and section 7/7(1)(a)(ii) of the Fertilizer Control Order, 1985.

3. As per the prosecution case, on secret information a raid was conducted in the industrial premises of this petitioner and 106 bags of Urea were recovered which was illegally stored for black-marketing.

4. It is submitted that petitioner is one of the partner of the partnership firm M/s Amrita Industries in which there are total four partners. The said industries is engaged in the business



of manufacturing and selling plywood and has got a valid license under the Factories Act. As a matter of fact, on the alleged date and time of occurrence, a tractor loaded with fertilizers broke down just in front of the said industry. The driver and the farmer of the said tractor, unloaded the Urea and kept it on road flank in front of gate of the said industry and took their tractor for repairing. Petitioner claims clean antecedent.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge III, Purnea/concerned court in connection with Sadar Muffasil P.S. Case No. 32 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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