

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42417 of 2023

Arising Out of PS. Case No.-1 Year-2023 Thana- BHIMPUR District- Supaul

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1. PAPPU SADA S/O SHRI RAMU SADA R/O Village- Kewala, Ward No.2, PS. Bhimpur, Dist. Supaul
 2. SANJEET SWARNKAR @ SANJEEV SWARNKAR S/O SHRI ASHOK SWARNAKAR R/O Village- Kewala, Ward No.2, PS. Bhimpur, Dist. Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act, 1955.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. The informant alleges that house of Pappu Sada (petitioner no. 1) was raided and 32 bags of Urea was recovered from his house and the family members disclosed that the Urea is of petitioner no. 2.
5. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that the date of occurrence is 30.12.2022 and the



FIR came to be instituted on 03.01.2023. Learned counsel for the petitioners draws the attention of the Court to the seizure list to submit that the seizure list was prepared on 03.01.2023 and the place of seizure is Bhimpur Police Station compound, Chhatapur, Supaul which further casts an aspersion on the case of the prosecution as to whether the Urea was recovered from the house of petitioner no. 1 or not.

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

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Bhimpur P.S. Case No. 01 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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