

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64665 of 2022

Arising Out of PS. Case No.-199 Year-2022 Thana- SARMERA District- Nalanda

SURENDRA YADAV Son of Subhash Yadav Resident of Village- Purana
Isua, P.S.- Sarmera, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Sarmera P.S. Case No. 199 of 2022 for the offence registered under section 7 of the Essential Commodities Act lodged on 07.08.2022 by the informant, Satish Chandra.

That the prosecution story in brief is that one Satish Chandra, Block Agriculture Officer, Sarmera lodged his written report addressed to the Officer in-charge of Sarmera Police station stating therein *inter-alia* that he received information through District Agriculture Officer, Nalanda vide memo no.1884 dated 28.07.2022 that M/s Basmati Khad Bhandar, Sarmera, Retailer I.D.No.1230134 has indulged in black marketing of fertilizer and its proprietor is Sri Surendra Yadav, therefore, he prayed that in the light of the direction of the



District Agriculture Officer, an F.I.R. may be lodged. Accordingly, the FIR.

It is the contention of the learned counsel for the petitioner that only on the basis of vague suspicion as also conjectures and surmises, taking into account the seizure, the allegations have been made that the fertilizers were sold to the family members for illegal purposes. She further submits that the petitioner has already been punished as his license stands cancelled.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering the nature of allegation that has come, FIR lodged, he has to ultimately face the music and further his license stands cancelled, this Court is inclined to extend him the privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No. 199 of 2022 subject to condition as laid



down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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