

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59717 of 2022

Arising Out of PS. Case No.-359 Year-2022 Thana- BAHADURPUR District- Darbhanga

RAJESH KUMAR MAHASETH Son of Rambabu Mahaseth Resident of
Mahrara Daish, P.S.- Bahadurpur (Pataur O.P.), District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard both sides.

The petitioner apprehends his arrest in connection with Bahadurpur (Pataur O.P.) P.S. Case No.359 of 2022, registered for the offences punishable under Sections 7(i) a (ii) of the Essential Commodities Act.

The allegation against the petitioner is that the informant-cum-Sub Divisional Agriculture Officer, Darbhanga seized 104 bags of Urea fertilizer from the shop of the petitioner which was kept for sale without having any certificate of registration as per Rule.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the petitioner has got no criminal antecedent as stated in paragraph-3 of the bail



application. It is further submitted that the said shop belongs to the father of the petitioner and the petitioner is a patient suffering from severe mental disorder (Annexure-3).

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Considering the facts and circumstances of the case and the fact that no specific overt act is alleged against the petitioner, let 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 enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga in connection with Bahadurpur (Pataur O.P.) P.S. Case No.359 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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