

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58068 of 2022

Arising Out of PS. Case No.-342 Year-2021 Thana- KOTWA District- East Champaran

Motilal Ray Son of Late Hiranman Ray Resident of Village- Laxmanwa, P.S.-
Kotwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 21-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Kotwa P.S. Case No. 342 of 2021 registered for the offence punishable under Section 7(i) (a) (ii) of the Essential Commodities Act.

As per the prosecution, the informant alleged that this petitioner was selling urea and fertilizers without obtaining any license and he recovered the said materials from the petitioner's shop.

The main submissions advanced by the learned counsel Mr. Abhishek Kumar for the petitioner are that the



petitioner has fair and clean antecedent and as per the allegation some quantity of urea and fertilizer was found in the shop of the petitioner and as per prosecution he did not have the required license to keep the said materials in his shop and accordingly petitioner was alleged to have committed the offence under section 7 of E. C. Act, while on the other hand the petitioner is a farmer and had purchased the alleged materials for the purpose of harvesting of his land and he has been languishing in jail since 17.08.2022.

Learned APP Mr. Parmeshwar Mehta appearing for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly the nature of allegation and period of custody of the petitioner, this court is inclined to accept his bail prayer. Accordingly, let the petitioner be released 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 concerned Court in connection with Kotwa P. S. Case No. 342 of 2021.

(Shailendra Singh, J)

Rajiv/-

U		T	
---	--	---	--

