

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61541 of 2022

Arising Out of PS. Case No.-276 Year-2022 Thana- BIRAUL District- Darbhanga

MANOJ KUMAR PURBEY Son of Birendra Purbey R/O Village- Tarwara,
P.S- Biraul, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Das
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under section 420 of the Indian Penal Code, Section 7(i)(a)(ii) of the Essential Commodities Act and Section 7 of Fertilizer Control Order.

As per prosecution case, it is alleged by the informant that 15 sealed and 3 unsealed bags of fertilizers have been seized from the shop of the petitioner which were being sold without any authority.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case on the basis of suspicion. As a matter of fact that the said recovery of fertilizers



were purchased from Sonu Enterprises for agriculture purpose by the uncle of the petitioner and the same was recovered from the house of petitioner's uncle and the uncle of petitioner is living separately from him. It is further submitted that there no case is made out under the purview of the Essential Commodities Act against the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 21.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Biraul P.S. Case No. 276 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Biraul, Darbhanga.

(Sunil Kumar Panwar, J)

amandeep/-

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

