

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67358 of 2023

Arising Out of PS. Case No.-379 Year-2022 Thana- RIGA District- Sitamarhi

BRAJESH RAY SON OF SHUBHNARAYAN RAY RESIDENT OF
VILLAGE- MASHA GALAM, BAIRGANIA, BENGALI, PS-
BAIRGANIA, DISTT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Murari, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 414 of the Indian Penal Code, Section 5 the Essential Commodities Act and Section 3/7 of the Fertilizer (Control) Order, 1985.

3. As per prosecution case, petitioner is driver of one of the pick-up vans from which urea fertilizer has been recovered.

4. Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. and his name has transpired on confessional statement. Petitioner has got no concern with the seized vehicle and fertilizer. He was simply a driver and on the instruction of the owner, he was driving the vehicle in question. He has got no concern with the seized fertilizer.



5. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Riga P. S. Case No. 379 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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