

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.592 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- INARWA District- West Champaran

Sadik Mian @ Md. Sadik @ Mahammad Sadik Mansur @ Sadeek Miyan Son
Of Late Fate Miyan Resident Of Village- Sakraul, P.S.- Inarwa, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 414, 34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

As per FIR, 15 bags of Neem Coated Urea Fertilizer, each of 45kg were recovered from the house (hut) of the petitioner which was stored with intention to black marketing.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific overt act against the petitioner. He submits that the house of the petitioner is far away from the alleged place of occurrence and the hut in question is



without gate is situated near the agricultural area of the village. He submits that no recovery was made from the petitioner's house nor even the seizure list was served to the family members of the petitioner. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that the petitioner is also involved in the present case.

Considering the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner, let the above named petitioner 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 the learned court below where the case is pending/successor court in connection with Inarwa P.S. Case No. 60 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

