

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6325 of 2023**

Arising Out of PS. Case No.-121 Year-2010 Thana- GOVERNMENT OFFICIAL COMP.
District- Madhubani

NAWRANG LAL AGARWAL @ NAWRANG AGARWAL S/O RAM
AVTAR AGARWAL Resident of village- Nawa City, P.S.- Nawa City,
District- Nagour, Rajasthan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Ms. Diksha Kumari, Adv. Mr. Kumar Rajdeep, Adv. Mr. Arvind Kumar, Adv.
For the Opposite Party/s :		Mr. Dilip Kumar No.1, APP.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 20-06-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 32 of the Prevention of Food Adulteration Rule, 1955.

Prosecution case, in brief, is that the Food Inspector Madhubani took a sample of iodized salt from the shop of one Saurav Akash and sent the same for analysis to the public analyst, Bihar. After analyzing, the public analyst submitted his analysis report, according to which the sample was found misbranded. Thereafter, with the sanction of Civil Surgeon-cum-Chief Medical Officer, the present case was filed against the seller of salt & M.D. of Jaganath Chemifood (P) Ltd. Jaipur



Road, Nawa City, Rajasthan.

It is submitted by learned senior counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Learned senior counsel submitted that no notice was received by the petitioner. When process under Section 82 Cr.P.C. was issued against the petitioner, the petitioner came to know this fact that a case is pending against him. Thereafter, the present case was filed by the petitioner for grant of anticipatory bail.

Learned senior counsel further submitted that a Co-ordinate Bench of this Court has set aside the issuance of processes under Section 82 of Cr.P.C. vide order dated 29.04.2023 passed in Cr. Misc. No. 7500 of 2023. He further submitted that petitioner is a resident of Rajasthan and from perusal of the order sheet, it appears that no warrant has been served upon the petitioner and on that basis the issuance of process under Section 82 of Cr.P.C. has been set aside by a co-ordinate Bench of this Court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.



Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as petitioner had no knowledge about the fact that a case was pending against him, therefore, he filed this case for grant of anticipatory bail with delay, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 G.O. Case No. 121 of 2010, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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