

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2203 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- MANSI District- Khagaria

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Vikash Kumar Singh @ Bikash Kumar Singh S/O Suresh Prasad Singh
Resident Of Village- Chakhussaini, P.O And P.S.- Mansi, District- Khagaria.
Proprietor Of Sri Bikash Fertilizer Beej Bhandar Chakhussaini

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Ms. Diksha Kumari, Adv.
	:	Mr. Kumar Rajdeep, Adv.
For the Opposite Party/s	:	Mr.Parmeshwar Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 7 of the E.C. Act and Section 5/28(1)a/35(1) of Fertilizer Control Order Act, 1985 pending in the learned court below.

As per the prosecution case, informant got information that the petitioner who is the owner of Sri Bikar Fertilizer Beej Bhandar Chakhussaini is not following the procedure of Fertilizer Control Act, 1985 and doing black marketing. On getting information the informant along with other officer went at the said place at 5:00 P.M. and saw that seller was giving receipt from Pos Machine, registers were not maintained properly. Eventually black marketing of fertilizer came into light.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that as per the seizure list it is evident that 76 bags of fertilizer were found less as per POS machine. He submits that the license of the petitioner was cancelled by the District Agriculture Officer, Khagaria on 16.03.2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that the license of the petitioner was cancelled, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Mansi P.S. Case No.58/2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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