

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4298 of 2024

Arising Out of PS. Case No.-399 Year-2023 Thana- BAISI District- Purnia

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Anuj Kumar Singh S/O MEDANI PRASAD SINGH R/O- BALHA, PS.
NARAYANPUR, DISTT. BHAGALPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

For the Opposite Party/s : Mr. Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-02-2024 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 414 of IPC, Section 7 of E.C. Act and 6/7 of Fertilizer Control Order.

3. Allegedly, the police seized a fertilizer loaded pick up van. The petitioner is the owner of the seized vehicle. No paper of fertilizer was found in the vehicle due to which it is presumed that the fertilizer was being carried for the purpose of black marketing.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and



omnibus in nature. He submits that the petitioner is not license holder of the fertilizer, he is only the owner of the said pick up van and there is no specific overt act against him. There is no allegation against the petitioner regarding the black marketing of the fertilizer. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as the petitioner has no criminal antecedent, let the above named petitioner, be released on bail, in the event of his/her 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 Baisi P.S. Case No.399 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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