

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7619 of 2024

Arising Out of PS. Case No.-58 Year-2023 Thana- FORBESGANJ District- Araria

Prabhakar Krishna Kumar S/o Pradip Kumar Yadav R/o Village - Rajauli
Mariya, P.S. - Dagarua, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate
For the Opposite Party/s : Mr. Parmeshwar Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 26-02-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Forbesganj P.S Case No. 58 of 2023 dated
17.01.2023 registered for the offence punishable u/s 7 FCO & 7
(1) (a) (ii) of Essential Commodities Act.

4. As per the prosecution case, during patrolling near
the rice mill of Rampur Ansari Chowk, a truck bearing Reg. No.



BR11S6174 loaded with urea was recovered beside the house of the co-accused *Mumtaz Ansari*.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. As per the seizure list, it appears that truck over which the alleged fertilizers were loaded has not been seized, only registration number of the said truck has been mentioned in the F.I.R. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The name of the petitioner has transpired in this case only on the basis of the registered owner of the said truck. No specific allegation has been attributed against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with Forbesganj P.S Case No. 58 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.



8. The application stands allowed.

(Chandra Prakash Singh, J)

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