

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19904 of 2024

Arising Out of PS. Case No.-576 Year-2023 Thana- GOPALPUR District- Bhagalpur

Suman Kumar Pandit S/o Sakaldev Pandit Proprietor of M/s Suman Krishi Kendra, R/o Vill - Suktia Bazar, Sungita, P.S. - Gopalpur, Dist. - Bhagalpur, Bihar - 853205

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Arvind Kumar, Advocate Mr. Kumar Rajdeep, Advocate Ms. Diksha Kumari, Advocate
For the Opposite Party/s	:	Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offences punishable under Section 7 of the Essential Commodities Act.

3. It is alleged that on 23.11.2023, during inspection, 366 bags of Urea, 97 bags of D.A.P., 45 bags of M.O.P. and 150 bags of N.P.K were found short.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no offence under Section 7 of the Essential Commodities Act is made. As a matter of fact, the difference in the quantity of fertilizers is



because the ePOS machine was not working properly, for which petitioner has given several application and informed the concerned authority but no action was taken. He further submits that the fertilizer license of the petitioner has already been cancelled *vide* Letter No. 38, dated 03.01.2024 by the District Agriculture Officer, Bhagalpur. Petitioner claims clean antecedent.

5. Considering the facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Bhagalpur in connection with Gopalpur P. S. Case No. 576 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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