

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30012 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- KASBA District- Purnia

Md. Shamim Son of Md. Mobin @ Mobin Resident of Babhani Rekha,
Barsauni, P.S.- Sadar, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

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

ORAL ORDER

2 30-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kasba P.S. Case No. 24 of 2024 dated 27.01.2024 registered for the offences punishable u/s 7 of the Essential Commodities Act and Sections 5, 7, 8 and 35 of the Fertilizer Control Act.

3. As per the prosecution case, 40 bags of urea (fertilizer) was recovered from the Bolero pick-up vehicle and the said vehicle was being driven by the petitioner for illegal transportation of the aforesaid fertilizer. The petitioner could not produce any documents regarding the ownership of the vehicle which seems to indicate that an attempt was being made to sell



the fertilizer loaded on the vehicle for illegal business.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is the driver of the said vehicle and he has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Kasba P.S. Case No. 24 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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