

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28903 of 2024**

Arising Out of PS. Case No.-794 Year-2023 Thana- BARACHATTI District- Gaya

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Jitendar Sao @ Jitendra Sao Son of Devki Sao Resident of Village- Kewla,  
Tola- Tintarwa, P.S.- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Dilip Kumar No. 1

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      10-07-2024                      Heard Arvind Kumar Singh, learned counsel for the  
  
petitioner and Mr. Dilip Kumar no. 1, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case  
registered for the offence punishable under Sections 7(1)(a)(ii)  
of the E.C. Act and Section 35(1) (6) of the Fertilizer Control  
Order, 1985.

3. As per FIR, allegation against the petitioner is that  
he caught red handed with illegal hoarding of 300 bags of Urea  
and 16 bags of DAP fertilizer. It is further alleged that the  
petitioner failed to produce any type of sale receipt before the  
informant.

4. Learned counsel for the petitioner submits that  
the petitioner is innocent and has been falsely implicated in this  
case. He submits that the petitioner and his family members are



the farmers and they cultivate their fields for growing paddy crops and wheat etc. and for their cultivation, they had some bags of urea and DAP fertilizers in their house. He submits that the petitioner is not the PDS dealer. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that the Urea and DAP have been recovered from the house of the petitioner and he did not produce any receipt regarding the seized article.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Barachatti (Mohanpur) P.S. Case No. 794 of 2023.

**(Anjani Kumar Sharan, J)**

devendra/-

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