

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50663 of 2024

Arising Out of PS. Case No.-766 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Sanjay Kumar Son of Ruplal Mahato R/V- Jamuniya, P.S.- Ghorasahan
(Jharaukhar), Distt.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-07-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner apprehends his arrest in connection with
Turkauliya (Banjariya) P.S. Case No. 766 of 2022 registered
under Sections 7/7(i)(a)(i)/7(I)(a)(II) of the Essential
Commodities Act, 1955.

3. As per F.I.R., petitioner is alleged to be driver of the
tractor from which 125 bags of Chand Urea were recovered.

4. Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case merely on suspicion. It is further
submitted that the name of the petitioner has come only because
petitioner happens to be the driver of the seized tractor. The duty



of the petitioner is to simply carry goods to the destination as per instruction of the owner. Petitioner being driver was not aware of nature of goods. Petitioner has got clean antecedent.

5. Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Turkauliya (Banjariya) P.S. Case No. 766 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Singh, J)

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