

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69786 of 2024

Arising Out of PS. Case No.-220 Year-2024 Thana- SONBERSA District- Sitamarhi

Abhay Kumar S/o Sri Jangbahadur Ray R/o Village- Brahawan Tola, P.S. and
District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 281, 125(a), 125(b) of the BNSS, 2023 and Section 7 of the E.C. Act.

3. As per FIR, the petitioner being driver of the vehicle bearing its Registration No. BR31GB-9463 was met with an accident loaded with 84 bags of Urea fertilizer. It is alleged that the petitioner failed to produce any document regarding hire of the vehicle for transportation of Urea by the farmers.

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 is the only driver of the vehicle. He submits that the petitioner has no concern with the seized Urea fertilizer. He submits that on the instruction of the



owner of the vehicle, the petitioner has loaded 84 bags of Urea fertilizer and while coming to Sonbarsa the vehicle met with an accident andoterturn at the village-Parchhahiya N.H.-77. He submits that there is no specific overt act against the petitioner. 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.

6. Considering the facts and circumstances of the case and the fact that the petitioner is the only driver of the seized vehicle, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sonbarsa P.S. Case No. 220 of 2024, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023.

(Anjani Kumar Sharan, J)

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