

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36605 of 2025

Arising Out of PS. Case No.-61 Year-2025 Thana- BHAWANIPUR District- Purnia

Rajiv Kumar @ Bhola Mandal S/o- Sri Mahendra Mandal Resident of Patraha
P.S- Barhara Kothi Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 16-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bhawanipur P.S. Case No. 61 of 2025 instituted under Sections 7 and 28(i)(a) of the Fertilizer Control Order, 1985 and section 7(i)(a)(ii) of the Essential Commodities Act lodged on 12.03.2025 by the informant, Nitish Kumar Bhardwaj.

3. As per the prosecution story, the informant alleged that the villagers detained with two makeshifts vehicle with drivers altogether loaded with 100 bags of urea fertilizer. Upon interrogation, they gave the name of this petitioner. In the two makeshifts vehicles, there were 45 and 55 bags of urea fertilizers. This led to the FIR.

4. Learned counsel for the petitioner submits that though the these are the farmers, had no role to play in the



matter, only because the two apprehended persons gave his name, implicated. He has not benefited from the such movement of the fertilizers, has no criminal antecedent and the last submission is that irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs.20,000/- to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer submitting that the two makeshift vehicles drivers had named him.

6. Considering the submissions of the parties as also that nothing has been recovered from his conscious possession, he has no criminal antecedent, name has come in the confessional statement, shall face the music, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.20,000/- the Chief Minister's Relief Fund through Demand Draft issued by the local branch of the State Bank of India.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Bhawanipur P.S. Case No. 61 of 2025 to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Ravi/-

U			
---	--	--	--

