

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90134 of 2025

Arising Out of PS. Case No.-190 Year-2025 Thana- JITNA District- East Champaran

Viku Yadav @ Viku Kumar S/O Dindayal Rai R/O Vill.- Renganiya, P.S.-
Jitna @ Jeetna, Dist.- East Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anang Mohan Sinha

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 15-01-2026 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 Section 7 of the Essential Commodities Act.

3. Allegation in the first information report is that the petitioner had illegally kept 225 bags of Urea in his house for the purposes of black marketing.

4. Learned counsel for the petitioner submits that the recovery of the said bags of Urea was made from an open premises and as a matter of fact, three tenants were also residing in the same premises and the petitioner had no knowledge as to who had kept the said Urea. Moreover, there is no independent witness to the seizure list and the petitioner is a businessman who always remains outside station for meeting his business commitments. It has further been submitted that there are three tenants residing in the house including one Javed, who is



Proprietor of Javed Khad Bhandar. The owner of the seized urea is Javed, not the petitioner and this makes the entire case against the petitioner suspicious.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Taking into consideration the facts and circumstances and also considering the fact that the recovery has been made from an open premises where three tenants were also residing, coupled with the fact that there is no independent witness to the seizure list, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten 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 Jitna P.S. Case No. 190 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S.

(Soni Shrivastava, J)

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