

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4972 of 2026

Arising Out of PS. Case No.-4 Year-2025 Thana- BHIMPUR District- Supaul

Md. Altaf @ Md. Altab, S/o Late Md. Mumtaz @ Mamtaj, Resident of
Mohallah - National Para, P.S- Katwa, District- Burdwan, (East) West
Bendgal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 10-04-2026 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Bhimpur P.S. Case No. 04 of 2025 registered for the
offence punishable under Section 7 of the Essential
Commodities Act, 1955.

3. As per the allegation made in the F.I.R., on
07.01.2025, Ashok Kumar Chaurasiya, Fertilizer Inspector-cum-
Agriculture Coordinator, Chhatapur, Supaul, submitted a written
report to the SHO, Bhimpur, stating that at 4: 30 A.M. he
received information from a Night Patrolling Officer about
fertilizer smugglers namely Sachin Mehta, Saroj Mehta, and
Anuj Mandal @ Anuj Kamat who had brought a truck near



Main Canal Nahar (72 RD). Acting on this, he reached the spot at about 05:30 A.M., where police had already detained truck No. WB-41J-1000 and its driver, Chandra Manjhi. The accused allegedly fled on seeing the police. After search of the truck in presence of witnesses, 666 sacks of urea (45 kg each) of B.V.F.C. company were recovered. The driver stated the consignment was brought from Burdwan, West Bengal, at the instance of the accused, after which a seizure list was prepared.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and he has not committed any offence as alleged in the F.I.R. He is not named in the F.I.R. Without knowledge and consent of the petitioner, the driver got the truck loaded with the seized fertilizer. The petitioner is not a public Distribution System dealer, hence no case under Section 7 of the Essential Commodities Act is made out against the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Having heard the rival submissions made on behalf of the parties, as well as, having perused the allegation made in the F.I.R., I don't find that there is any violation of Section 20 of the Bihar Targeted Public Distribution System (Control) Order,



2016. However, considering the judgment of the Hon’ble Supreme Court in the case of *Amba Lal Vs. Union of India, 1961 AIR 264*, the truck should not deteriorate its value day by day.

7. The petitioner, if so advised, may avail appropriate remedy to get the truck released on such terms and conditions as the learned District Court deems it fit and proper.

8. The bail application stands disposed of.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

