

Shankar Kumar Goswami Vs. the State of Bihar

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Court : Patna

Decided On : May-11-2012

Appellant : Shankar Kumar Goswami

Respondent : The State of Bihar

Judgement :

IN THE HIGH COURT OF JUDICATURE AT PATNA Criminal Miscellaneous No.1471 of 2012 Shankar Kumar Goswami, S/o Vishwanath Goshwami, resident of Village-Chopara Bazar, P.S.-Jankinagar, District-Purnia. Versus The State of Bihar -----

11. 01.2012 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State. The petitioner apprehends his arrest in connection with a case instituted under Section 7(i)(a)(ii) of the Essential Commodities Act and 23(1)(A) of the Fertilizer Act. It is submitted that the petitioner is a dealer holding license under fertilizer control order 1985. There is no seizure from his conscious possession. The alleged seizure is said to have been made on 10.10.2011 but the F.I.R. has been instituted on 13.10.2011. There is no reasonable explanation for three days delay in instituting the F.I.R. Considering the facts and circumstances of the case, let the petitioner, namely Shankar Kumar Goswami in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/communication of this order, be released on bail on furnishing bail bonds of Rs. 5,000/- (Five thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-

Divisional Judicial Magistrate, Purnea in connection with Janki Nagar P.S. Case No. 113 of 2011 subject to the condition as laid down under Section 438(2) Cr. P.C. Sanjeet/ (Ashwani Kumar Singh, J.)

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