

In the Court of District & Addl. Sessions Judge-I, Benipur , Darbhanga.

Present

**Sri Rishi Gupata
District & Addl. Sessions Judge-I, Benipur**

Darbhangha, dated, the 13th April 2026

Anticipatory Bail Petition no. 16 of 2026

Ashad Hussain

.....Petitioner.

Versus

The State of Bihar

.....Opposite Party

Counsel for the petitioner :- Sri Hare Krishna Deo, Ld. Advocate

Counsel for the State :- Smt. Punam Jha, Ld. APP

ORDER

13.04.2026 The present anticipatory bail petition has been filed on behalf of petitioner namely Ashad Hussain @ Syed Md. Asad Husain, S/o Late Talib Hussain @ Syed Md. Talib Hussain at resident of Village Dhamwara, P.S. Alinagar, Dist. Darbhanga who is apprehending their arrest in connection with Alinagar P.S Case No. 269/2025, for offence u/s 7 of E.C. Act, which is pending in the Court of Ld. SDJM, Benipur, Darbhanga.

Heard Sri Hare Krishna Deo the Ld. Counsel for the petitioner and Smt. Punam Jha, Ld. A.P.P. on behalf of the State.

The present FIR has been lodged on the basis of complaint of Block Agricultural Officer whereby he alleged that on 26.12.2025 at around 2:30 PM on receiving secret informantion he raided the godown of accused Ashad Hussain, S/o Talib Hussain. That in the said raid, conducted in presence of other officials, he found illgialy stored urea, potash etc. That in presence of other officials, complainant seized all the items and sealed the same. The complainant then sent the complaint along with seizure list to the Alinagar Police station where this FIR was lodged.

The Ld. Counsel for the petitioner submits that, the petitioner has not committed any offence and he is quite innocent. The petitioner has falsely been implicated in this false case due to local village poltics and social enmity. That the petitioner has no criminal antecedents. That in his family members the pedgs ages product of 150 quintal so urbarak khad is very essential to produce of pedy and wheat. That the alleged of this case is 7 E.C. which is not attracted to the above named petitioner because of the petitioner is not a dealer and not a businessman, he is a farmer. That many farmers have kepted their khad in the

above named petitioner's big house for security. That no such occurrence did ever took place as alleged in FIR. That the petitioner is a farmer and man of means and no chance of their absconding or tempering with Pws if enlarged on bail. Hence it is prayed that your honour be pleased to grant anticipatory bail to the petitioner.

On the other hand Ld. APP appearing for the State opposed the prayer for bail of the petitioner.

Heard, Submissions of both parties and perused the record. From perusal of the case records, it can be seen that this case has been filed u/s 7 of E.C. Act. From perusal of record it has been found that in para 25 of case diary, it has been mentioned that the accused was given notice u/s 35(3) and neither in diary nor the Ld. APP alleged that the notice given has been misused by the petitioner accused. That the accused has no criminal antecedent. That the stock as alleged to be seized has been already sold by the order of Dist. Magistrate on 06.02.2026 which also shows that there is no necessity of arrest of the petitioner. So in the light of these facts and circumstances, this court not finds it proper to let the sword of arrest hanging on the petitioner and accordingly this Court finds it proper to **allow** the anticipatory bail petition of this petitioners namely Ashad Hussain @ Syed Md. Asad Husain, S/o Late Talib Hussain @ Syed Md. Talib Hussain at resident of Village Dhamwara, P.S. Alinagar, Dist. Darbhanga. That in case of arrest or surrender within a period of three weeks of receipt of this order by the concerned court, the accused petitioner is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten Thousands/-) with two sureties of like amount each to the satisfaction of the court below and with the conditions that the petitioner shall co-operate in investigation and trial.

(Dictated and Corrected)

(Sri Rishi Gupta)

District & Addl. Sessions Judge-I

Benipur

13.04.2026

Date of Order	13.04.2026
Date of Reserving Order	13.04.2026
Uploading Date	16.04.2026
Uploaded by	Sujit Kumar (Bench Clerk)