

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18016 of 2015

Arising Out of PS.Case No. -21 Year- 2015 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Om Prakash Tufani @ Omprakash Tufani Son of Late Bhola Ram Tufani,
resident of Village- Hardiya Tufani colony Ward no. 20, P.s- Shikarpur,
District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate.

For the Opposite Party/s : Mr. Sanjay Kr. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

3 17-08-2015

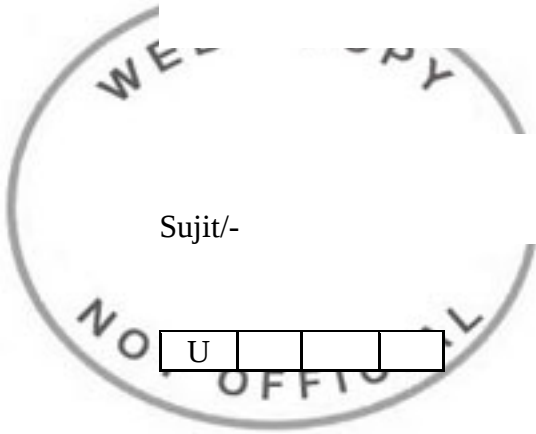
Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under Section 7 of the Essential Commodities Act and the admitted position that the petitioner is the P.D.S. dealer, who had access to the kerosene oil and, in fact, after seizure of 100 litres kerosene oil, he immediately appeared in scene to claim the same, will only go to show that whatever was stated by the rickshaw vendor, about the consignment being sent at the instance of the petitioner, had to be accepted to be correct.

In that view of the matter, this Court is not inclined to grant privilege of anticipatory bail to the petitioner and, therefore, the petitioner must surrender.

In the event of his surrender, his prayer for regular bail

shall be considered on its own merit without being prejudiced by
this order.



(Mihir Kumar Jha, J)