

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51858 of 2015

Arising Out of PS.Case No. -44 Year- 2013 Thana -SIMRI District- DARBHANGA

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Chandeshwar Prasad Tiwari, Son of Late Thakur Prasad Tiwari, Resident of
Village – Harpur, P.S. – Simri, District – Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Anish Chandra(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

02/ 10-11-2015

Heard learned counsels for the petitioner

and the State.

The petitioner is apprehending his arrest in
a case registered for the offences punishable under Section 7 of
the Essential Commodities Act.

Thirty nine litres of kerosene oil were
seized when the villagers intercepted a bullock cart being driven
by Laxmi Thakur who suggested that he was taking it from the
PDS shop of the petitioner.

It is submitted by learned counsel for the
petitioner that admittedly the seizure was not made from the
petitioner and on conclusion of the investigation petitioner was
not sent up for trial but differing with the final form cognizance
has been taken.

A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 44 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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