

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18043 of 2015

Arising Out of PS.Case No. -121 Year- 2014 Thana -NATIONAL HIGHWAY District-
SAMASTIPUR

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1. Laxmi Sah Son of Lal Bahadur Sah Resident of Village: - Digha Fathapur, P.s - Baligaon, District- Vaishali at Hajipur, wrongly mentioned in F.I.R , son of lal Babu Sah of Village- Lawdha.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. R.S.Choudhary(App)

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 09-07-2015 Heard learned counsel for the petitioner and learned

counsel for the State.

The petitioner seeks anticipatory bail in a case instituted for the offences under Sections 420, 379 and 411/34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The police on secret information made a raid and saw that some illegal tanker drivers along with their associates were taking out diesel out of tanker. Allegation has been made against the petitioner to be involved in such activity and with the help of driver he was engaged in selling the illegal diesel. The police arrested two persons. One person was driver of the tanker and another was

Khalasi. They disclosed that they were selling the diesel through the petitioner.

Learned counsel for the petitioner submits that whenever the police will call the petitioner he will remain present before him.

Looking to the facts and circumstances of the case including the statement made at the Bar, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Laxmi Sah, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Samastipur in connection with National Highway Bangra P.S. Case No.121 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. It is made clear that if the petitioner will not co-operate during course of investigation and join for interrogation the police will be at liberty to file an application for cancellation of bail.

Vinay/-

(Shivaji Pandey, J)

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