

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.713 of 2014

Arising Out of PS.Case No. -30 Year- 1999 Thana -MOHANIA District- BHABHUA (KAIMUR)

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Om Prakash Gupta Son Of Mahesh Chandra Gupta Resident Of Village -
Mongailan Road, P.S. Kolkatta, Distt. - Kolkatta

.... Petitioner/s

Versus

The State Of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

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

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 15-12-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with
Mohania P.S. Case No. 30 of 1999 registered for the offences
punishable under Sections 414/34 of the Indian Penal Code and
Section 5 (a) (b) of the Export and Import Act 112 Custom Act
and Section 80 of the Trade and Merchandise Act.

Learned counsel for the petitioner submits that the name
of the petitioner has come in connection with the present case
because of the fact that the owner book was recovered from the
vehicle, which is alleged to have been carried silk yarn. It is
further submitted that so far as the vehicle is concerned, he had
already transferred the vehicle in favour of one namely, Smt.
Vritika Sarkar on 2.09.1998 itself and the delivery note of the

vehicle bearing Vehicle NO. WB-02E/6775 was given in her favour on 06.09.1998 itself. He further submits that as such, the vehicle having been transferred much earlier, there is no question of petitioner being saddled with any criminal liability.

Considering the aforesaid submissions and also the fact that the petitioner has no criminal antecedent, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 30 of 1999, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Jagdish/-

(Anjana Mishra, J)

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