

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19523 of 2015

Arising Out of PS.Case No. -470 Year- 2014 Thana -ARA NAGAR District- BHOJPUR

=====

1. Amir Rai Son of Nand Lal Rai resident of village- Tukana Math, Police Station- Rosera, District- Samastipur (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad

For the Opposite Party/s : Mr. Nirmal Kumar Sinha (App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 04-09-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 81(4) of the Bihar Value Added Tax Act and Section 5 of Explosive Substance Act.

The prosecution story, in brief, is that on 10/11.12.2014, the Commercial Taxes Officer of Shahabad Circle, Arrah inspected the premises of M/s Maa Annapurna Transport Agency Limited and found taxable goods being transported in violation of Section 61(1) of the Bihar Value Added Tax Act without road permit so he has seized the goods. It is further alleged that by the said Transport Company and their staff for helping the traders were involved in the economic offence under Section 81(4) of the Bihar VAT Act. 2005.

On behalf of the petitioner, it is submitted that the petitioner has got no criminal antecedent. The petitioner has been falsely implicated in the present case. So far petitioner is concerned, he is an employee of the Transport Company. He is neither consignee nor consigner. A demand was raised against the petitioner for Rs. 2800/-. The same has already been deposited by the petitioner to the concerned authority, which is evident from Annexures 2 and 2/1.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts, let the above named petitioner, in the event of his arrest or surrender in the court below within a period of four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M.,Bhojpur at Ara in connection with Ara Town P.S.Case no.470 of 2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

singh/-

U		T	
---	--	---	--