

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26185 of 2015

Arising Out of PS.Case No. -247 Year- 2014 Thana -KATORIA District- BANKA

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1. Shibu Barnwal Son of Sukhdeo Mody resident of village - Suiya, P.S.
Katoriya, Distt. - Banka

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Smt. Nirmala Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 16-07-2015

Heard learned counsel for petitioner and learned

Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Katoria (Suiya) P.S. Case No. 247 of 2014 registered for the
offence under Section-7 of Essential Commodities Act.

Stand of the petitioner is that the premises, in
question, has been given to one Triveni Sah on rent and as a
matter of fact, when raid was conducted the aforesaid Triveni Sah
fled away and since the petitioner was owner of the aforesaid
premises, he has been implicated in this case.

Considering the aforesaid submissions as well as this
aspect of the matter that in huge quantity K. oil is said to have
been recovered from the house-cum-shop of the petitioner, I am

not inclined to grant privilege of anticipatory bail to the petitioner bail and accordingly, his prayer for anticipatory bail in connection with Katoria (Suiya) P.S. Case No. 247 of 2014 pending in the court of Sri Randhir Kumar, Judicial Magistrate-Ist Class/concerned court, Banka stands rejected.

However, if, petitioner surrenders in the court below and seeks regular bail, the points raised by the petitioner before this court, shall be considered by concerned court on its own merit, without being prejudiced by this rejection order.

(Hemant Kumar Srivastava, J)

A.K.V./-

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