

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22295 of 2015

Arising Out of PS.Case No. -379 Year- 2012 Thana -MOHANIA District- BHABHUA (KAIMUR)

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1. Mithilesh Kumar Singh S/o Late Ram Swarath Singh, Resident of village- Rasalpur, P.S.- Patori, District- Samastipur, Partner of Seagul Logistic, Plot No.- 161, Sector No.- 25, Near Cosmos Bank Pradhikran, Nigdi, Pune- 411044, Who is owner of Truck No. HR55L/7522

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2015

Heard learned counsels for the petitioner

and the State.

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 415, 420, 406, 407, 409, 120(B) of the Indian Penal Code, Sections 81(2)b, 81(3)c, 81(4) of the Bihar Value Added Tax, 2005.

It is alleged that Deputy Commissioner, Commercial Taxes posted at Karmnasha Check Post made a report to the Officer in-charge, Mohania that during inspection, it was found that truckers were crossing the border on the basis of forged transit permit. It is further alleged that TIN number of the consignor were also found forged and thereby they tried to evade the taxes.

It is submitted by learned counsel for the petitioner that petitioner is owner of one of the trucks in

question and the taxes along with penalty have already been deposited. It is further submitted that similarly situated co-accused has been granted bail vide Cr. Misc. No. 12186 of 2014.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Mohania P.S. Case No. 379 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted after verifying proof with regard to the payment of alleged taxes along with penalty.

(Dinesh Kumar Singh, J)

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