

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38531 of 2014

Arising Out of PS.Case No. -111 Year- 2014 Thana -MOTIPUR District- MUZAFFARPUR

Sudish Sahani Son of Birendra Sahani Resident of Village - Rewa, Malah Toli, P.S. Saraiya, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Verma, Adv.

For the Opposite Party/s : Mr. Gopesh Kumar, App

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 07-01-2015

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is in custody since 23.04.2014 in connection with Motipur P.S. Case No. 111 of 2014 corresponding to G.R. No. 1095 of 2014 registered for the offences punishable under Sections 414, 420/34 of the Indian Penal Code, 7 of the E.C. Act and 4B/6 of the L.P.G Regulation of Supply and Distribution Order, 2000.

It has been submitted on behalf of the petitioner that the truck which was loaded with L.P.G. Gas Cylinder was shown to be parked beside the bank of the river in which gas cylinders numbering 145 were found to be loaded whereas 161 cylinders were found on the earth beside the bank of the river. It is further submitted that 100 pieces L.P.G. regulator and some challans of the Indian Oil Company were recovered from the dash board of

the said truck by the police party. It is further submitted that interestingly enough neither owner of the vehicle nor the driver was made accused in the said case but the petitioner who is found to be standing nearby the place of occurrence was taken into custody on mere suspicion. It is further submitted that there is no recovery from the possession of the petitioner and his implication in the present case is largely on the suspicion and malafide and thus he is entitled to privilege of bail.

Considering the aforementioned submissions and also the period of custody and that the petitioner has clean antecedent, let the petitioner, Sudish Sahani be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate (West), Muzaffarpur in connection with Motipur P.S. Case No. 111 of 2014 corresponding to G.R. No. 1095 of 2014.

(Anjana Mishra, J)

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