

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51469 of 2015

Arising Out of PS.Case No. -693 Year- 2015 Thana -SAHARSA District- SAHARSA

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1. Diwakar Kumar, Son of Anil Yadav, resident of village - Mathahi, P.S. Madhepura, District - Madhepura, Bihar

2. Aalok Kumar @ Mrityunjay Kumar @ Ashok Kumar, Son of Rajendra Prasad Yadav, resident of village - Baijnathpur, P.S. Sour Bazar, District - Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudha Chandra

For the Opposite Party/s : Mr. A.A.Khan(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 21-12-2015 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is accused in connection with Saharsa Sadar P.S. Case No. 693 of 2015 registered under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The accusation is that tank lorry bearing registration no. JH 17E-2126 was seized by the police, in which, 7000 litres of blue colour kerosene oil was found. Md. Shahjahan, driver of said tank lorry informed that 3000 litres of kerosene oil was dropped at the Essar Petrol Pump, Patuaha, where on checking while two

tanks were found empty but in third tank 6000 liters kerosene was found. The Manager and staff of the petrol pump did not cooperate due to that reason even sample could not be drawn.

Learned counsel for the petitioner submits that petitioner is night guard of petrol pump and he has no concerned with the business of petrol pump. It is further submitted that petitioner has no criminal antecedent and is in custody since 25.08.2015. Learned counsel for the petitioner further submits that co-accused, Md. Shahjahan, who is the driver of the tank lorry, has already been granted privilege of bail by this Court vide order dated 11.12.2015 passed in Criminal Misc. No. 55063 of 2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Saharsa, in connection with Saharsa Sadar P.S. Case No. 693 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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