

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9970 of 2016

Arising Out of PS.Case No. -496 Year- 2015 Thana -PATORI District- SAMASTIPUR

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1. Arun Kumar S/o Ram Sewak Sahani Resident of Village- Harpur
Fatikbara P.s Mahnar District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Rajiv Ranjan Tiwari

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

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-03-2016

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

In this case, the petitioner is seeking anticipatory bail
in connection with Patory P.S. Case No.496 of 2015, registered for
the offence punishable under Section 420 of the Indian Penal Code
and under Section 3 of the E.C. Act.

As per the F.I.R, an Inspecting team arrived to the
petrol pump premises of M/s Mantu Fuel Centre, where the tank
lorry bearing registration No.BR 31G 9792 was standing and
diesel was being decanted. The Inspecting team suspected
adulteration in the high speed diesel and sealed the said lorry and
handed over Zimmenama to M/s Satynarayan Prasad, a wholesaler
of diesel. The samples were taken and sent to the I.O.C. The report

showed that adulteration was there in the high speed diesel.

Learned counsel for the petitioner submits that the petitioner is the Manager of the petrol pump and not the driver of the lorry. He further submits that the petitioner has a little control over the quality of the diesel sent by the I.O.C.

Learned counsel for the petitioner further submits that the driver of the lorry has already been granted bail by this Court in Criminal Miscellaneous No.7986 of 2016.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within three weeks from today, let the petitioner-Arun Kumar, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur, in connection with Patori P.S. Case No.496 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The petitioner is directed that whenever the police will call the petitioner, he will remain present for interrogation and investigation and will all through co-operate in the investigation of the case.

(Shivaji Pandey, J)

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