

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11190 of 2016

Arising out of PS.Case No. -233 Year- 2015 Thana -FALKA District- KATIHAR

Rajdev Thakur, Son of Late Ganesh Prasad Thakur, R/o Village- Kheriya,
P.S.- Kursela, District- Katihar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Arun Kumar Mandal, Advocate.

For the Opposite Party : Mr. R.P.S Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Falka P.S. Case No. 233 of 2015 for the offences instituted
under Sections 279, 337, 338 of the IPC and 7 of the E.C. Act.

It is alleged that a vehicle met with an accident and the
persons in the vehicle have also sustained injury. It is further
alleged that 1815 liters Kerosene Oil loaded on the said vehicle
was seized. On query, the driver did not produce any paper
relating to Kerosene Oil. The petitioner is the owner of the vehicle
and Kerosene Oil was being carried on his instance.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. He has been made

accused in the present case due to mistake of fact. There is no recovery of any Kerosene Oil from possession of the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 20,000/- in the court below which shall be subject to final disposal of the case.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 20,000/- in the court below which shall be subject to final disposal of the case and on doing so, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Falka P.S. Case No. 233/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)