

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17028 of 2016

Arising Out of PS.Case No. -26 Year- 2016 Thana -BARUN District- AURANGABAD

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1. Raj Kumar son of Late Birendra Singh Jhulan, Resident of village + P.O.- Varma, P.S. Guraru, District- Gaya
 2. Vinod Kumar Singh son of Late Ramashish Singh, resident of village + P.O.- Sarbahda, P.S.- Khijarsarai, District- Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Agrawal
For the Opposite Party/s : Mr. Shyam Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 26-04-2016 Heard Mr. Alok Kumar Agrwal, the counsel for the
petitioners and Mr. Shyam Kumar Singh, APP for the State.

The petitioners herein seek anticipatory bail in
Barun P.S. Case No. 26 of 2016 registered under Sections 406,
420, 467, 468, 471, 120B and 161 of the Indian Penal Code.

It is alleged that the Circle Officer, Barun raided in
the business premises of the Company and the coal was found
deficit in the stock which was sold in the black market. The
petitioners are neither the owner(s) nor the Manager, but
employees of the company. The allegation is that the company
indulged in selling the said coal in black market. It is submitted
that the coal has already been denotified. It is no longer and

essential commodity. That apart, the petitioners being the petty employees cannot be held liable for the alleged crime. The Authority of the C.O to make spot inspection has also been raised as an issue. It is stated that considering the above accused of another case lodged by the same Circle Officer have been granted the privilege of anticipatory bail vide order dated 20.04.2016, passed in Cr. Misc. No. 14336 of 2016.

In the facts and circumstances of the case, let the petitioners above named, in the event of arrest/surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Aurangabad, in Barun P.S. Case No. 26/2016 on condition that one of the bailors shall be his/their own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel their bail bonds.

(Kishore Kumar Mandal, J)

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