

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19108 of 2016

Arising Out of PS.Case No. -47 Year- 2016 Thana -KHIJARSARAI District- GAYA

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Dharmnath Sao @ Prasad Son of Ramdayal Sao, Resident of Village -
Dema Fatehpur, P.S. - Khizersarai, District - Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Pushpa Sinha 2(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 12-05-2016 Heard learned counsel for the petitioner and the learned
Addl. Public Prosecutor, appearing on behalf of the State.

This application for grant of anticipatory bail arises out
of Khizersarai P.S.Case No. 47/2016, disclosing offences under
section 7 of the E.C.Act.

It is alleged in the First Information Report that from the
petitioner's shop, 25 liters of kerosene oil was recovered and
subsequently seized as the same was being sold in black market.

It is submitted on behalf of the petitioner, referring to the
seizure list, that the place of seizure has been described as a place
adjacent to a road. It has not been disclosed in the seizure list that
the said kerosene oil was recovered from the petitioner's shop. It
has further been submitted that the petitioner has no criminal
antecedent. It has also been submitted that considering the amount

of kerosene oil seized, the petitioner deserves to be granted anticipatory bail.

Considering the submissions, as above, this application is allowed.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in Khizersarai P.S.Case No. 47/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that the petitioner shall present himself before the police/ court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Surendra/-

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