

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46406 of 2016

Arising Out of PS.Case No. -159 Year- 2016 Thana -MANIYARI District- MUZAFFARPUR

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Md. Naushad, son of Late Murtuza @ Lali Md. Murtuza, resident of
village Khirhar, P.S. Khirhar, District Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner : Mr. Dinesh Jha, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 24-10-2016 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 14.08.2016 in
connection with Maniyari P.S. Case No. 159 of 2016 for the alleged
offences under Section 7 of the E.C. Act.

3. It is submitted that the petitioner has been falsely
implicated as even according to the seizure list, the recovery has
not been made from the vehicle of the petitioner, rather the same
has been produced by one Manish Kumar Thakur, who was the
owner of the High Speed Diesel (HSD). In any event, it is submitted
that the quantity of the HSD barely exceeds the limit of 400 litres
which may be freely held. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and
circumstances of the case, let the petitioner above named be
released on bail on furnishing bail bond of Rs.10,000/-(ten
thousand) with two sureties of like amount each to the satisfaction
of learned S.D.J.M. (West), Muzaffarpur in connection with Maniyari
P.S. Case No. 159 of 2016 on the following conditions -

(i) That one of the bailors shall be a close relative of
the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran/BT

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