

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29614 of 2016

Arising out of P.S. Case No. -24 Year- 2016 Thana -KOTWALI
District- MUNGER

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Pawan Kumar, Son of Late Devendra Prasad Gupta, Resident of
Village - Maksuspur Kali Asthan, Police Station Kasim Bazar,
District – Munger. Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Ranjan, Adv.

For the Opposite Party/s: Sri Parmanand Prasad, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

02. 29.08.2016

Heard parties.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 3 and 7 of the
Essential Commodities Act.

As per the allegation, four filled and five empty gas
cylinders were recovered from the shop of the petitioner who
claims that he is running a shop for repairing of gas stove. It is
contended that there is no allegation regarding the sale of the
cylinders to a particular person so that one could come to a
conclusion that the petitioner was engaged in black-marketing of
the same. It is further contended that the petitioner is having
clean antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, namely, Pawan Kumar be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Kotwali P.S. Case No. 24/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sub-divisional Judicial Magistrate, Munger subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, at the time of accepting bail bond, the court below will verify and assure itself regarding the criminal antecedent of the petitioner. If the petitioner is having clean antecedent then his bail bond would be accepted otherwise he would be taken in custody.

(Dr. Ravi Ranjan, J.)

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