

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27352 of 2016

Arising Out of PS.Case No. -42 Year- 2016 Thana -KHIJARSARAI District- GAYA

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Shyam Sunder @ Shyam Sunder Prasad Son of Late Lalan Jamidar
Resident of village - Mohammadpur, P.S. Khizersarai, District - Gaya

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Section 7 of the Essential Commodities Act.

Allegation against the petitioner is that from his Line Hotel one Indian Gas Cylinder of 14.2 Kg., used for domestic purpose, and a regulator were recovered.

It is submitted on behalf of the petitioner that he has got no criminal antecedent. He has falsely been implicated in the present case. The present case has been instituted due to mistake of fact. The place from where the cylinder has been recovered is part of the Line Hotel and is used for residential purpose by the petitioner. Hence, for his domestic use, he has been using the domestic gas cylinder. The other co-accused has been granted anticipatory bail by the court below.

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

Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his/her arrest or surrender in the court below within a period of six weeks, be released on bail

on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-3rd, Gaya, in connection with Khizersarai P.S. Case no. 42 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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