

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42621 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -BHAGWANPUR District-
VAISHALI(HAJIPUR)

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1. Mukesh Rai @ Mukesh Kumar, Son of Sri Suresh Rai, Resident of
Village- Dharahara, P.S. Hajipur Sadar, District- Vaishali, (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-10-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out
of Bhagwanpur P. S. Case No. 22 of 2016, disclosing offences
under Sections 419,420 of the Indian Penal Code & Section 7 of
the Essential Commodities Act.

The police intercepted a pick-up Van loaded with
Kerosene Oil stored in a drum. The driver of the said vehicle is
said to have disclosed the name of the petitioner, from where he
had taken the said Kerosene Oil.

Learned counsel for the petitioner has submitted that he
has been maliciously implicated and the said driver and conductor
of the vehicle have been granted regular bail by this Court vide

order dated 16.03.2016 passed in Cr. Misc. No. 11662 of 2016. He has also submitted that if the petitioner is granted privilege of anticipatory bail, there is no likelihood that he would be fleeing from the course of justice.

Considering the above submission, this application is allowed. Let the petitioner above named in the event of his arrest/surrender within four weeks from today in the court below 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 learned Additional Chief Judicial Magistrate, Vaishali at Hajipur in Bhagwanpur P. S. Case No. 22 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

ArunKumar/-c

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