

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57972 of 2015

Arising Out of PS.Case No. -229 Year- 2015 Thana -NAWANGAR District- BUXAR

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Munna Yadav @ Kamlesh Yadav @ Sudhakar Yadav, Son of Keshar Yadav, Resident of Village - Pokhraha, P.S.- Bagen Gola, District – Buxar.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy

For the Opposite Party/s : Mr. Sharda Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

25 04-01-2016

Heard learned counsel for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 7 of Essential Commodities Act.

Prosecution case is that near the house of one Sone Lal Yadav 200 litres of blue kerosene oil was recovered along with a motorcycle, which is alleged to be of the petitioner.

It is submitted by learned counsel for the petitioner that the recovery is not from the petitioner and the alleged recovered motorcycle is registered in the name of one Jay Kumar Singh. The petitioner did not claim the said motorcycle. A statement to that effect has been made in para 9 of the petition,

which reads as follows:-

'9. *That petitioner used to go to the village to meet his relatives. Said motor-cycle does not belong to him and he is no where concerned with the seized material. Moreover, nothing is recovered from the possession of the petitioner and he is only implicated in this case on vague assumptions."*

A further statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with (Buxar) Nawanagar P.S. Case No. 229 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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