

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7602 of 2016

Arising Out of PS.Case No. -693 Year- 2015 Thana -SAHARSA District- SAHARSA

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Md. Salim Khan son of Late Habib Khan, resident of Deona, P.S.- Tilrath,
Distt- Begusarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N.K.Agrawal, Sr.Adv.
Mr. Dhananjaya Nath Tiwari, Adv.

For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 18-03-2016 Heard learned counsel, appearing on behalf of the
petitioner, and the learned Addl. Public Prosecutor, appearing on
behalf of the State.

This application for grant of anticipatory bail arises out of
Saharsa P.S. Case No. 693/2015 (Special Case No. 3/2015),
disclosing offences under section 7 of the E.C.Act and section 420
of the Indian penal Code.

Briefly narrated, the prosecution case is that a tanker
carrying kerosene oil was found parked at the place of occurrence.
Allegedly the said kerosene oil was to be used for the purpose of
adulterating petrol. The tanker was intercepted and the driver of
the tanker upon interrogation said to have disclosed the name of
the petitioner as vehicle owner. The tanker was seized and the

petrol pump, near which the tanker was found parked, was sealed. The petitioner has been made accused on the ground that he is the owner of the vehicle.

Learned Senior counsel, appearing on behalf of the petitioner, submits that the petitioner is engaged in business of transporting petrol, diesel and kerosene oil from the I.O.C.L. and other oil companies. He submits that considering the nature of accusation made against him, there is no chance that the evidence can be tampered with or witnesses can be influenced, if he is granted privilege of anticipatory bail.

Without going into correctness of allegation made against the petitioner, this application is allowed, since there is no likelihood that the petitioner shall flee away from the course of justice if he is granted privilege of anticipatory bail. It has been kept in mind that the petitioner has no criminal antecedent.

Let the petitioner, abovenamed, in the event of his arrest/ surrender before the court below within six weeks from today, 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 S.D.J.M., Saharsa in Saharsa P.S.Case No. 693/2015 (Special Case No. 3/2015), subject to the conditions as laid down under section 438(2) of the Cr.P.C.

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)

Surendra/-

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