

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41598 of 2016

Arising Out of PS.Case No. -247 Year- 2010 Thana -BARAUNI District- BEGUSARAI

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Pankaj Kumar, Son of Bhola Bhagat, Resident of Village-Mirzapur Chand,
P.S.-Barauni, District-Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P.Sinha, Sr. Advocate
Mr. Sandip Kumar Gautam, Advocate
Ms. Rashmi Bharti, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 25-10-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Barauni P.S. Case No.247 of 2010 for allegedly having
committed the offence under Sections 413, 414 of the Indian
Penal Code and Section 7 of the Essential Commodities Act.

Mr. S.N.P. Sinha, learned Senior Counsel appearing for the
petitioner submits that though there is an allegation against the
petitioner under Section 7 of the Essential Commodities Act that
kerosene oil was recovered from the two motorcycles, one of
which belonged to the petitioner's father, and that the said
kerosene oil was sought to be converted into duplicate diesel by
mixing chemical, there is no other allegation against the
petitioner. It is further submitted that motorcycle of the father of

the petitioner was recovered from the place of occurrence and there is no recovery from the conscious possession of the petitioner. Learned Counsel further submits that another similarly situated co-accused Parveen Shekhar has been extended the privilege of anticipatory bail in Cr. Misc. No.24011 of 2014, vide order dated 13.10.2014. As such, the petitioner may also be extended the said benefit.

Having heard learned counsel for the petitioner and considering the fact that other similarly situated co-accused has been extended the privilege of pre-arrest bail, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Begusarai, in connection with Barauni P.S. Case No.247 of 2010, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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