

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42085 of 2016

Arising Out of PS.Case No. -29 Year- 2016 Thana -PIPRA District- EAST CHAMPARAN
(MOTIHARI)

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1. Shivjee Rai @ Shivjee Yadav Son of Lal Babu Rai resident of Village-
Bella , P.S. Pipra Kothi, District East Champaran Petitioner/s
Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Ram Bachan Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 03-10-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Pipra Police Station Case No. 29 of 2016,
disclosing offences under Sections 379/411 of the Indian
Penal Code and Section 7 of the Essential Commodities Act.

Allegedly, on receipt of a secret information that
petrol and diesel were being unloaded illegally from tankers
parked near a line hotel, the Police arrived and found some
plastic drums/containers. They also found a tempo, bearing
Registration No. BR-05P/6152 parked there. Some persons
were apprehended, including the petitioner's son.

Learned Counsel for the petitioner does not
dispute the fact that the petitioner is the registered owner
of the said tempo. He, however, submits that no role is

attributable to this petitioner and he has been implicated on the sole ground that he is the registered owner of the tempo. It has been stated in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the above submissions, this application is allowed.

Let the petitioner, Shivjee Rai @ Shivjee Yadav, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Pipra Police Station Case No. 29 of 2016, subject to the condition 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 bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-c

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