

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54859 of 2016

Arising Out of PS.Case No. -11 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

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Nipendra Choudhary, Son of Ram Kishore Choudhary, resident of village -
Tajpur, P.S. - Bhagwanpur, District - Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : M/s. Mritunjay Kumar and Praveen
Kumar, Advocates.

For the Opposite Party : Mr. Satya Nand Shukla, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Bibhutipur P.S. Case No. 11 of 2016 for the offences
instituted under Section 7 of the E.C. Act.

The prosecution story, in brief, is that the informant
recovered subsidy gas cylinder which was being used instead of
commercial gas cylinder from Anand Vihar Hotel which belongs
to the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has falsely been implicated in the present case. There is
no allegation of tampering with the witnesses alleged against the



petitioner. He has been made accused in the present case due to mistake of fact. As far as the recovery of one subsidy cooking gas cylinder is concerned, the petitioner has got no concern with the same.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Bibhutipur P.S. Case No. 11/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Rosera, Samastipur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

