

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45920 of 2016

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

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Harendra Chaudhary son of Raghunandan Choudhary.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 379 and 411 of the Indian Penal Code and 7 of the Essential Commodities Act.

On information that petrol and diesel are being siphoned off from the tank, raid was laid in the motel of Raju Singh and seized some plastic drums along two drum of diesel and petrol loaded on an auto rickshaw and 2-3 motorcycles from the place of seizure. The petitioner was not named in the FIR but subsequently it was transpired during investigation that one of the seized motorcycle belongs to the petitioner.

It is submitted by the learned counsel for the petitioner that the petitioner was not apprehended from the spot and only on suspicion the petitioner has been roped in the present case. The

impugned order reflects that stand was taken on behalf of the petitioner before the learned court below that the petitioner transferred the said motorcycle to someone else but at the same time the petitioner filed a petition for release of the alleged motorcycle. A statement has been made in para 3 of the petition that the petitioner has no criminal antecedent.

Considering the fact that recovery has not been made from the petitioner coupled with the statement made in para 3 of the petition that the petitioner has no criminal statement, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar, East Champaran at Motihari in connection with Pipra P.S. Case No. 29 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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