

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38863 of 2016

Arising Out of PS.Case No. -12 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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Munna Bhagat, S/o Kishori Bhagar, Resident of- Sudama Nagar, P.S.-
Bhagwanipur, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 05-10-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhawanipur P.S. Case No. 12 of 2016 registered under
Section 7 of the E.C. Act.

The accusation is that in course of petrolling duty
on 22.01.2016, in the evening, one tempo was seen without
number. The driver of the tempo after seeing the Police Party
started to flee away leaving the tempo. On search, 520 litres of
kerosene oil in 12 plastic gallon recovered from the tempo.

Learned counsel appearing on behalf of the petitioner
submits that in course of investigation, it was dictated that Achay
Lal was the owner of the tempo, who disclosed that Dilip Sah

and petitioner Munna loaded the kerosene oil on the tempo to carry from Rupauli Oil Depo to Bhawanipur. Except the confessional statement of Achay Lal, who is said to be the owner and driver of the tempo from which the alleged kerosene oil was recovered, there is nothing to show his involvement in the present case. It is also submitted that petitioner has no criminal antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Purnea in connection with Bhawanipur P.S. Case No. 12 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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