

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.759 of 2016

Arising Out of PS.Case No. -106 Year- 2012 Thana -GORIAKOTHI District- SIWAN

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Ajit Kumar Singh Son of Late Deokinandan Singh, Resident of Village +
P.O. Sarsar, P.S. - Siwan (M), District - Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nikesh Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 12-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Goriya Kothi P. S. Case No. 106 of 2012 registered under
Sections 419, 420, 467 and 468 of the Indian Penal Code.

It is contended that the informant of the case,
Ashutosh Kumar had participated in draw along with the
petitioner organized by the Indian Oil Corporation Ltd. for
which application had been invited in 2009 itself and the draw
was organized in the year 2011, wherein the petitioner turned up
to be successful and claim of other participants, including the



informant was rejected. Accordingly, distributorship of Indane Gas was accorded in favour of the petitioner. Thereafter, the informant preferred two writ petitions bearing CWJC No. 22586 of 2011 and CWJC No. 5919 of 2012 before this Court stating therein all the allegations which the informant has alleged in the present FIR and after hearing the parties, this Court remanded the matter to the Collector, Siwan to decide the issue. Subsequently, the learned Collector-cum-District Magistrate, Siwan has rejected the claim of the petitioner which order has been challenged by the petitioner before this Court in a writ petition bearing CWJC No.11231 of 2015. The said writ petition has been allowed in favour of the petitioner and the order passed by the District Magistrate has been set aside. The informant of the case has challenged the order passed in CWJC No. 11231 of 2015 before this Court by filing an LPA which is *sub judice*.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial

Magistrate, Siwan in Goriya Kothi P. S. Case No. 106 of 2012,
subject to the conditions as laid down under Section 438 (2) of
the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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