

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7981 of 2017

Arising Out of PS.Case No. -374 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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Bhado Sah, S/o Late Narayan Sah, Resident of Village- Tulsiahi, P.S.-
Bakhtiyarpur, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. N.K. Agarwal, Advocate
Mr. D. N. Tiwari, Advocate

For the Opposite Party : Mr. Gopesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 06-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Bakhtiyarpur P.S. Case No. 374 of 2016, registered for the
offence punishable under Section 7 of the E.C. Act and Sections
406, 409 of the Indian Penal Code.

Allegedly, 160 liters of kerosene oil was recovered
from the house of Gulat Sah and wife of Gulat Sah stated that
Kerosene oil has been purchased from the petitioner.

Submission is of false implication and that no
illegality or irregularity has been found in the shop of the
petitioner, inspection of the shop has not been done and only on
the basis of statement of wife of co-accused the petitioner has been



made accused, the petitioner has got no criminal antecedent, Gulat Sah from whose house Kerosene oil was recovered, has already been allowed pre-arrest bail vide Cr. Misc. No. 13086 of 2017 by another co-ordinate Bench of this Court and, as such, the petitioner deserves sympathetic consideration

The learned A.P.P. fairly submits that Gulat Sah has been allowed pre-arrest bail.

In the facts and circumstances as stated above, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 S.D.J.M., Saharsa, in connection with Bakhtiyarpur P.S. Case No. 374 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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