

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50999 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -BHAGWANPUR District- BEGUSARAI

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Tuntun Choudhary, S/o Wokil Choudhary, R/o Vill Augan, P.S.
Bhagwanpur, Dist - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate.

For the Opposite Party/s : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 02-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Bhagwanpur
P.S. Case No. 135 of 2017 instituted for the offence under Section
7 of the Essential Commodities Act.

It is alleged in the written report that 360 Litres of
kerosene oil and 375 litres of Diesel have been recovered from
Darwaza of this petitioner and he managed to run away.

The seizure list has been enclosed wherein it has been
submitted that the aforesaid item has been recovered from the
shed (*Verandah*) of this petitioner. It further appears that copy of
seizure list has not been handed over either to the petitioner or any
family members.

Considering the facts and circumstances of the case,



prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Bhagwanpur P.S. Case No. 135 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate-cum-Special Judge, E.C. Act, Begusarai, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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