

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46961 of 2017

Arising Out of PS.Case No. -1 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

=====

1. Sohan Lal Patel Son of Chandradeo Patel Resident of village- Batrouliya,
P.S.- Paroo, District- Muzaffarpur

2. Dilip Kumar @ Dilip Kumar Singh Son of Jawahar Singh Resident of
village- Dillora, P.S.- Paroo, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar Through The Director General, Economic offences
Unit, Bailey Road, Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh

For the Opposite Party/s : Mr. Vishwanath Pd. Sinha(Eou)

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Economic Offence P.S.
Case No. 01 of 2015 instituted for the offence under Sections-420, 467,
468, 471, 409, 120(B) of the Indian Penal Code and Sections-80(1)(c),
81(2), 81(4) of Bihar VAT Act, 2005.

It has been submitted on behalf of the petitioners that they
are not named in the written report.

There is allegation in the written report that the informant
received information that some persons are selling coal in the State of
Bihar on the half rate in collusion with the businessman of Bihar by
creating the facility of D-IX. It is said that 461 purchasers have
purchased coal from Tata Steel Ltd. (Coal Division), Ghatotand,



Ramgarh, Jharkhand. It is stated that built was prepared in the name of m/s Rashmi Trading Company, M/s Dakhineshwari Sales, Ramgarh & m/s Bhadrakali Trading Company, Ramgarh by creating false bill mentioning half price by creating D-iX Firm.

Counsel for the petitioners has submitted that in fact, all the aforesaid three firms have misused the TIN VAT No. of these petitioners after hacking the password for which, they have already filed case against those firms in the year 2014 bearing Paroo P.S. Case No. 12 of 2014 and Muzaffarpur Sadar P.S. Case No. 33 of 2014.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with in Economic Offence P.S. Case No. 01 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners 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 petitioners and (3) if petitioners tamper 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 petitioners.

(Sanjay Priya, J)

A.K.V./-

U		T	
---	--	---	--

