

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3886 of 2017

Arising Out of PS.Case No. -114 Year- 2016 Thana -CHANDMUNDI District- JAMUI

- =====
1. Rohit Kumar Roy @ Rohit Roy Son of Bhola Roy
 2. Upendra Roy Son of Bhola Roy Both are resident of Village- Garhi Simariya, Police Station- Chakai , District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 2 15-02-2017 Heard the learned counsel for the petitioners as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Chandramandih P.S. Case No. 114 of 2016 for the offence punishable under section 7 of the Essential Commodities Act.

Allegedly, on a pick-up van 10 drums of kerosene oil was found and the driver Sudhir Ray and Nityanand Ray were arrested. Sudhir Ray disclosed that the kerosene oil is of the petitioners and on their dictation it was loaded from the house of dealer Bharat Yadav, Jhajha and it was being transported to the house of Nityanand Ray who was also apprehended.



Submission is of false implication and that the petitioners have got no concern with the pick-up van or with the kerosene oil, Sudhir Ray being villager and having enmity has taken the names of the petitioners with oblique motive and as such the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners.

In the facts and circumstances as stated above, considering that the names of the petitioners having taken by the co-accused before the Block Supply Officer at once and as such I am not inclined to grant privilege of pre-arrest bail to the petitioners and accordingly their such prayer stands rejected in connection with the aforementioned case pending in the court of S.D.J.M. Jamui.

However, in case and if so advised, the petitioners surrender and seek regular bail then their prayer for regular bail shall be considered on its own merits, preferably on the same day, without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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