

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21477 of 2017

Arising Out of PS.Case No. -14 Year- 2017 Thana -SHERGHATI District- GAYA

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1. Ainul Hassan Khan @ Anul Hasan Khan Son of Wasir Khan
 2. Salma Khatoon, wife of Ainul Hassan Khan, both resident of Ward No. 7, Raksaha, P.S. Dildar Nagar, District- Ghazipur
 3. Vinod Kumar @ Vinod Bind Son of Shivbachan Bind Resident of Village- Kauriya, P.S. Gajaniya, District- Ghazipur.
 4. Shesh Nath Singh Son of Jagdish Singh Resident of Village- Gahmar, P.S. Gahmar, District- Ghazipur. Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Smt. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 30-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Sherghati P.S. Case No. 14 of 2017 for offences under Sections 413, 414, 420, 384, 467, 468, 471, 120B of the Indian Penal Code and Sections 33 and 34 of the Forest Act.

From perusal of the FIR it transpires that allegation against these petitioners is that they are involved in movement of vehicles without payment of Entry Tax. The petitioner Nos. 1 and 2 are the owners of trucks and petitioner Nos. 3 and 4 are drivers of the trucks.

The attention of the Court was drawn to Annexures- 3 and 4, the Suvidha Out to Out Form, i.e., Form D-VII, from



perusal thereof it transpires that Entry Tax was paid.

It appears that similarly situated other co-accused were granted anticipatory bail – Badu Gope in Cr. Misc. No. 13594 of 2017 vide order dated 30.3.2017, Jagan Yadav in Cr. Misc. No. 13164 of 2017 vide order dated 22.3.2017, Sujit Kumar in Cr. Misc. No. 14559 of 2017 vide order dated 29.3.2017, Surendra Paswan in Cr. Misc. No. 12810 of 2017 vide order dated 11.4.2017 and Pintu Singh in Cr. Misc. No. 14195 of 2017 vide order dated 3.5.2017.

On the ground of parity, I am inclined to grant bail to the petitioners, above named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Sherghati P.S. Case No. 14 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

S.Pandey/-

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