

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18346 of 2016

Arising Out of PS.Case No. -499 Year- 2011 Thana -SAMASTIPUR MUFFASIL District-
SAMASTIPUR

=====

Anjani Kumar Swatantra Son of Late Ram Narayan Mahto, resident of
Village - Dhatta, Police Station - Rosera, District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate

For the Opposite Party/s : Mr. P.K.Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-02-2017 Heard learned counsels for the petitioner and the

State.

The petitioner has renewed the prayer for anticipatory
bail third time in a case registered for the offences punishable
under Section 7 of the Essential Commodities Act.

Prosecution case is that 181 gas cylinders were found
being loaded on a pick-up van having no registration number.

The first bail application of the petitioner was
disposed of on the ground that others were granted regular bail
vide Criminal Miscellaneous No.36413 and 43195 of 2011 and
thereafter vide Criminal Miscellaneous No.36348/2012 and
25838/2014.

It is submitted by learned counsel for the petitioner



that the petitioner is authorized dealer and if the vehicle had no registration number, he cannot be penalized. Moreover, the petitioner is not named in the FIR and the investigation is still pending.

Since, twice the anticipatory bail application was disposed of, this Court is not inclined to revise the earlier order, but keeping in view of the nature of accusation, petitioner is not named in the FIR and the investigation is pending coupled with the fact that the others have been granted bail, this Court finds no reason for the learned Court below not to consider the prayer for bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Samastipur Muffasil P.S. Case No.499/2011, pending before the learned CJM, Samastipur.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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