

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14432 of 2017

Arising Out of PS.Case No. -497 Year- 2016 Thana -DANAPUR District- PATNA

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1. Upendra Singh, son of Kameshwar Singh, resident of Village- Batrauli,
P.S. Akilpur, Dist.- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 22-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Danapur
P.S Case No. 497 of 2016 registered for the offences punishable
under Section 7 of Essential Commodities Act.

Allegedly, the petitioner was apprehended with 3035
liters of blue coloured kerosene oil kept in 103 gallon was
recovered and the petitioner stated that he has purchased the same
from Sanjay of Naya Tola, Danapur.

Submission is of false implication and that the
petitioner has been made victim of the circumstances, the said
kerosene oil was loaded in a pick-up van and the driver of the said
pick-up van has already been allowed bail vide Cr. Miss. No. 6729



of 2017, charge sheet has already been submitted and the petitioner is suffering in custody since 29.11.2016, the petitioner has got no criminal antecedent and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. fairly submits that Anil Kumar the driver of the pick-up van has already been allowed bail by another co-ordinate bench of this court.

In the facts and circumstances stated above, the petitioner is also directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Danapur, Patna, in connection with Danapur P.S. Case No. 497 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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