

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43366 of 2017

Arising Out of PS.Case No. -408 Year- 2008 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

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Sunil Thakur, Son of Kapileshwar Thakur, Resident of Village- Sunderpur,
P.S.- Basopatti, District- Madhubani.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Deo Singh, Adv.
Mr. Sanjay Kumar, Adv.

For the Opposite Party/s : Mr. Satyavarat Verma, APP

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH**

ORAL ORDER

2 22-09-2017

Heard the parties.

This application, for grant of anticipatory bail,
arises out of Muzaffarpur (Town) P.S. Case No. 408 of
2008, disclosing offences under Sections 420, 467, 468
and 471 of the Indian Penal Code and Section 7 of the
Essential Commodities Act.

The First Information Report was registered on
the basis of a raid. The petitioner was not named in the
First Information Report. As per the allegation, from a
truck, huge quantity of PPL, contained in 110 bags of



fertilizers, was caught with the driver and the cleaner of the vehicle. The papers, which they produced before the police, were found to be forged. On the basis of their statements that the fertilizers, so recovered, belonged to the petitioner, his name has cropped up.

Learned counsel for the petitioner has submitted that the petitioner did not have any knowledge about the lodging of the First Information Report. He further submits that it is evident from the order, passed by the learned 2nd Addl. Sessions Judge, Muzaffarpur, that for the first time in the year, 2017, the police applied for issuance of warrant of arrest, on the basis of the statements of the named accused persons.

It has further been submitted on behalf of the petitioner that the petitioner shall present himself before the police, as and when required, and cooperate with the investigation.

In view of the submission, as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, East**



Muzaffarpur, in connection with **Town P.S. Case No. 408 of 2008**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself/herself before the police/Court, as the case may be, as and when required and in the event of failure on his/her part to appear before the Court on two consecutive occasions, his/her bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Praveen-II/-

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