

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12473 of 2017

Arising Out of PS.Case No. -109 Year- 2016 Thana -MAINATAND District-
WESTCHAMPARAN(BETTIAH)

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Bhushan Baitha Son of Late Dhrub Baitha, Resident of Village- Singhpur,
Police Station- Mainatand, District- West Champaran, Bettiah.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf, Adv.
For the State : Mr. Sri Ajay Kumar -2, APP
For the informant : Mr. Ashok Kumar Gupta, Advocate

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-04-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection with Mainatand P.S. Case No. 109 of 2016, registered for offences punishable under Sections 406, 420, 384 and 468 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

It has been submitted on behalf of the petitioner that the present case has been lodged by the private person and not by the official person and the whole prosecution case is false and concocted.

Heard learned A.P.P. as well as learned counsel for the informant.



Learned counsel for the informant has submitted that the petitioner has not come with clean hand as he has not stated about his criminal antecedent. Learned counsel has produced certain documents obtained through RTI showing that the petitioner has not maintained the Stock Register and did not distribute the Kerosene oil in the year 2016 and sold it in the black market.

Having heard both sides and considering the entire facts and allegations, I am not inclined to grant anticipatory bail to the petitioner. The prayer is, accordingly, rejected.

However, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

S.Pandey/-

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