

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.14532 of 2018**

Arising Out of PS. Case No.-246 Year-2017 Thana- KATEYA District- Gopalganj

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Pintu Kumar Jaiswal @ Pintu Jaiswal, Son of Late Subhash Jaiswal, Resident of Mohalla- Nahru Nagar, Gudri Bazar, Pachrauna, P.S.- Padrouna, District- Kushi Nagar (Uttar Pradesh).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Dhramveer

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

2      06-04-2018                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

Petitioner is apprehending arrest in connection with Kateya P.S. Case No. 246 of 2017 for the offence under sections 420 and 414/32 of the Indian Penal Code and under Section 7 of the E.C. Act.

Learned counsel for the petitioner submits that petitioner is owner of the seized Bolero Pick-up and the said vehicle was used as commercial vehicle for carrying goods.

In view of the above, he submits that at the time seizure the petitioner was not present when the vehicle was seized. He submits that in the totality of the facts situation, the petitioner cannot be fasten with any criminal liability.



Considering the fact that the petitioner is owner of the commercial vehicle which was used for transportation of the goods and also the fact that Section 7 of the Essential Commodities Act is not attracted in the instant case, let the petitioner, named above, 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, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Gopalganj, in connection with Kateya P.S. Case No. 246 of 2017 subject to the condition as laid down under section 438(2) of the Cr.P.C.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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