

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43372 of 2018

Arising Out of PS.Case No. -36 Year- 2015 Thana -DORIGANJ District- SARAN

=====

1. Hajari Rai son of Late Dahaur Rai
2. Uday Rai son of Sidhdhi Rai
3. Dharampal Rai son of Chandradeo Rai
4. Sanjay Rai son of Yugul Rai, All are residents of Village- Balwant Tola,
Police Station- Doriganj, District- Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Arun Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2018 The petitioners are apprehending their arrest in connection with Doriganj P.S. Case No. 36 of 2015, registered for offences punishable under Section 7 of the Essential Commodities Act.

Allegation as per F.I.R. is that one Pickup Van was intercepted with 2200 litres blue kerosene oil and it has disclosed by the driver that it is used for making illicit diesel and he has named the petitioners as the persons who are engaged in that business and thereafter police raided their houses and 180 litres blue kerosene oil was recovered from the Gumti of petitioner no.1.

It has been submitted on behalf of the petitioners that the case is based only on confessional statement of the driver, but he



has also fled away from the place of occurrence and was not arrested and it is alleged 180 litres blue kerosene oil was recovered from the Gumti of petitioner no.1 but the said *Gumti* does not belong to the petitioner no. 1 and so far other petitioners are concerned, there is no recovery.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Chapra, District Saran, in connection with Doriganj P.S. Case No. 36 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners shall cooperate in the



investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

sunil/Amjad/-

U		T	
---	--	---	--

