

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52331 of 2018

Arising Out of PS.Case No. -165 Year- 2018 Thana -VIBHUTIPUR District- SAMASTIPUR

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Lalo Poddar S/o Late Baso Poddar, R/o Vill.- Mustafapur Bhath, P.S.-
Vibhutipur, District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 7 of Essential Commodities Act.

The prosecution case, in brief, is that the co-accused Bijli
Pandit was caught by the police with 70-80 litres of K. Oil.

It has been submitted on behalf of the petitioner that there is
no allegation of tampering of witnesses alleged against the
petitioner. The petitioner has been made accused in this case due
to mistake of fact. The name of the petitioner has been disclosed
by co-accused namely Bijli Pandit who was apprehended by the
concerned officer. 70-80 litres of K. Oil is alleged to have been
recovered from possession of co-accused Bijli Pandit. Due to



political reason, the petitioner has been dragged in this case as he is a PDS dealer.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rosera, Samastipur in connection with Vibhutipur P.S. Case No. 165 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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