

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53312 of 2018

Arising Out of PS. Case No.-214 Year-2018 Thana- KHAGARIA District- Khagaria

Raj Kumar Bajaj S/o Late Sita Ram Bajaj, Proprietor of M/s Surajmal Mahadev Lal, Wholesale Dealer of Kerosene Oil, Khagaria, P.S.- Khagaria, District- Khagaria and R/o Thana Chwok, Haipur, P.S.- Khagaria, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta

For the Opposite Party/s : Mr. Md. Ansarul Haque

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-11-2018 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 the Essential Act.

The prosecution case, in short, is the accused person lifted the kerosene oil meant for BPCL and misappropriated the same.

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 due to mistake of fact. Except for suspicion, there is no other substantive evidence to suggest his implication in the present case. The petitioner has been appointed as wholesale dealer in



respect to Kerosene oil for the Khagaria district. There is no shortage in the stock. It is further submitted that the petitioner is ready to deposit a sum of Rs. 1,00,000/- (one lac) in the court below which shall be subject to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, **on deposit of a sum of Rs. 1,00,000/- (one lac) in the Court below which shall be subject to final disposal of the case,** 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 214/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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