

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61215 of 2017

Arising Out of PS.Case No. -1 Year- 2015 Thana -ECONOMIC OFFENCES, BIHAR District-
PATNA

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Jaipal Bhagat, S/o Satto Bhagat, Proprietor of Ayus Khad Beej Bhandar,
R/o Mahtha, P.S.- Ladaniya, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Inspector General, Economic Offence, Bailey Road Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samrendra Kumar Jha, Advocate.
For Economic Offence Unit : Ms. Soni Srivastava, Advocate.
Mr. V.N.P. Sinha, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 21-02-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Economic Offence P.S. Case No. 001 of 2015** instituted for the offence under Sections 81(1) (C), 81(2) and 81(4) of Bihar Value Added Tax Act, 2005.

It has been submitted that petitioner is not named in the First Information Report. His name has come during investigation. It has further been submitted that petitioner is owner of small shop of fertilizer and seeds. The password of TIN VAT Number of the petitioner's firm was hacked by some unknown persons and the same was used for the alleged sale and purchase



of the coal.

Learned counsel for the Economic Offence Unit has appeared and submitted that in fact, in enclosure-4 to the First Information Report, the name of this petitioner and other accused persons are mentioned. He has submitted that name of this petitioner appears at Sl. No. 7 in the enclosure-4 to the First Information Report.

Learned counsel for the petitioner has submitted that other co-accused persons have already been granted anticipatory bail by this Court as well as coordinate Bench of this Court vide orders dated 21.11.2017 and 17.10.2017 passed in Cr. Misc. 53817 of 2017 and 26677 of 2017 respectively.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Economic Offence P.S. Case No. 01 of 2015**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Patna**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable



property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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