

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51474 of 2018

Arising Out of PS.Case No. -123 Year- 2016 Thana -HAZIPUR INDUSTRIAL District-
VAISHALI(HAJIPUR)

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1. Satyendra Choudhary @ Satendra Choudhary, Son of Late Kishori Choudhary, Resident of Village Bandha Tola, Jadua Ward No. 38, P.S. Industrial Area District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-09-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Industrial Area P.S.Case no.123 of 2016 , registered for offences punishable under Section 7 of the Essential Commodities.

Allegation against the petitioner is of recovery of 2300 ltrs. of k-oil from the field of the petitioner.

Submission of the learned counsel for the petitioner is that K-oil belongs to the dealer Sudhir Rai and he has been granted privilege of anticipatory bail, vide order dated 2.5.2017 passed in Cr. Misc. No.2291 of 2017 and petitioner has been falsely implicated in this case because the vehicle was parked at his land.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Samita Roy J.M., 1st Class, Vaishali at Hajipur in connection with Industrial Area P.S.Case no.123 of 2016 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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