

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38936 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -BATH District- BHAGALPUR

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1. Vijay Kumar Sharma @ Vijay Sharma son of Late Brahmdeo Sharma
resident of village - Halkarachak, Police Station - Bath, District -
Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. N. K. Agarwal, Sr. Advocate
Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-07-2018 Heard the parties.

The petitioner seeks anticipatory bail in connection with
Bath P. S. Case No. 39 of 2018, registered for offences punishable
under Sections 406, 409, 420 of the Indian Penal Code and under
Section 7 E.C. Act.

Allegation as per F.I.R. is that a vehicle was intercepted
with loaded PDS articles and it is stated that articles were brought
from the shop of the petitioner for black marketing.

Submission of the learned counsel for the petitioner is
that the petitioner is an old person, having no criminal antecedent
and stock register was produced but sale register was not
produced. It is also submitted that there is no complain from any
card holder against the petitioner, rather only material available
against the petitioner is the confessional statement of co-accused,



driver of the vehicle.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts that the petitioner is an old person, let the petitioner, above named, surrenders before the court below within a period of six weeks from the date of the order, be released on anticipatory bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Bhagalpur, in connection with Bath P.S. Case No. 39 of 2018, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with other that bailors should be local having sufficient immovable property within the jurisdiction of the court concerned and petitioners shall co-operate in the investigation and shall be present before police as and when required otherwise prosecution is at liberty to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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