

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7066 of 2018

Arising Out of PS.Case No. -102 Year- 2017 Thana -PANCHRUKHI District- SIWAN

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1. Jay Sony @ Jay Kumar Sony, son of Brij Kishore Shah, resident of
Village- Dandaspur, P.O.- Panditpur P.S. Janta Bazar, District- Chapra.
..... Petitioner/s

Versus

1. The State of Bihar.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 23-02-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Pachrukhi P.S.**

Case No.102 of 2017 instituted for the offence under Section(s)
420, 467, 468, 471, 274, 275, 120-B/34 Indian Penal Code,
Section 7 of the Essential Commodities Act and Section 2(P) of
the Motor Spirit and High Value Diesel (Article and Distribution
Regulation and Restriction) Order, 1998.

Counsel for the petitioner has submitted that he is
owner of the Trolley. He was not present at the spot. Driver was
carrying the aforesaid vehicle in which it is alleged that 12,000
litres chemical was found.

Supplementary Affidavit has been filed, wherein, it
has been mentioned that no report has come till date with respect
to the sample collected by the informant from vehicle. It has
further been mentioned in the Supplementary Affidavit that the



vehicle was given on contract to Laxmi Transport Company and the driver was running the vehicle under the direction of the aforesaid Transport Company.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Pachrukhi P.S. Case No.102 of 2017**, 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 the **Chief Judicial Magistrate, Siwan**, 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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