

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64154 of 2018

Arising Out of PS. Case No.-236 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, Distt.-Khagaria and resident of Thana Chowk, Haipur, P.S. Khagaria Distt.-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 12-12-2018 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Khagaria P.S. Case No. 236/2018 registered for the offences punishable under Section 420 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The accusation against the petitioner is that he being proprietor of M/s Surajmal Mahadeolal Kerosene Oil lifted nine tanklorry kerosene oil from B.P.C.L. Company without any allotment order.

However, in course of hearing, learned counsel appearing for the petitioner, drew my attention towards



Annexure 2 to this petition and submits that the District Magistrate, Khagaria vide Memo No. 890 dated 20.12.2017 had allotted nine tanklorry kerosene oil in favour of firm of the petitioner and in pursuant to that sanction order, petitioner lifted the kerosene oil from the concerned Oil Company.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on 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 Khagaria P.S. Case No. 236/2018 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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