

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.66166 of 2018**

Arising Out of PS.Case No. -201 Year- 2016 Thana -RUPAULI District- PURNIA

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Md. Masiur Rahman @ Pachu @ Masiur Rahman, S/O Md. Nasimuddin @  
Nasimuddin, R/V- Bela Parsadi, P.S. Rupauli, District-Purnea.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Manoj Kumar, Advocate.

For the Opposite Party : Mr. Surendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

2      30-10-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in a case for  
the offence registered under Sections 420 of the IPC and 7 of the  
E.C. Act.

The prosecution story, in brief, is that on the basis of  
information received from Sub Divisional Officer, Damdaha, the  
informant-Block Supply Officer, Rupauli, reached at the campus  
of Rupauli Police Station on 03.10.2016 at 4.00 P.M. for checking  
of seized Kerosene Oil loaded on a Tempo bearing Registration  
No. BR-11M-6316. Prima facie, it appears that the said Kerosene  
Oil was meant for black marketing. The driver of the said Tempo,  
Pramod Kumar Mandal said that said Kerosene Oil was loaded



from the Godown of the petitioner, who is a P.D.S. dealer-cum-PACCS Chairman. He further said that after loading while he was going, villagers caught him and informed Rupauli Police Station. Thereafter, Rupauli Police Station seized 200 liters Kerosene Oil and took to Rupauli Police Station.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is a P.D.S. dealer. Allegation made in the F.I.R. is denied by the petitioner. It is further submitted that the petitioner is ready to deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand only) in the learned court below which shall be subject to final disposal of the case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner shall deposit an amount of Rs. 25,000/- (Rupees Twenty Five Thousand only) in the learned court below which shall be subject to final disposal of the case. On doing so, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from



today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Purnea, in connection with Rupauli P.S. Case No. 201/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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**(Sudhir Singh, J)**

