

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67637 of 2018

Arising Out of PS. Case No.-36 Year-2015 Thana- DORIGANJ District- Saran

Manish Rai @ Manish Kumar S/o Surendra Rai Resident of Village-
Balwantola, P.S. Doriganj, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anurag Saurav

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 30-11-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending his arrest in a case registered under Section 7 of the Essential Commodities Act.

The prosecution case, in short, is that on 22.05.2015 during course of patrolling the S.H.O. Doriganj seized 2200 liters blue kerosene oil loaded on pick up van and on quarry it has come in light that seized blue kerosene oil has been purchased from P.D.S. of Bihta for manufacturing diesel by the petitioners. It has further been alleged that the accused persons including the petitioner, who purchased the kerosene oil, used to manufacture diesel from blue kerosene oil, which is prohibited by State Government.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has been made accused due to mistake of fact. No kerosene oil in question is alleged to have been recovered from the petitioner. The name of the petitioner has come on disclosure made by co-accused. It is further submitted that the petitioner is ready to deposit an amount of Rs.40,000/- (Rupees Fourty thousand) in the court below, which shall be subject to the final disposal of the case.

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

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs.40,000/- (Rupees Fourty thousand) in the court below, which shall be subject to the final disposal of the case. On doing so, let the petitioner, above named, in the event of arrest/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 learned S.D.J.M., Saran at Chapra in connection with Doriganj P.S. case No.36 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Narendra/-

(Sudhir Singh, J)

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