

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76085 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- PARSAUNI District- Sitamarhi

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Guddu Chaudhary, son of Dukha Chaudhary, residence of village – persauni
Mailwar, P.S.-Persauni, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-01-2019 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Section 7 of the E.C. Act.

The prosecution case as per the written report of Sanjay
Kumar Pandey, Block Development Officer-cum-Block Supply
Officer, Parsauni dated 2.8.2018 submitted to the SHO, Parsauni
is to the effect that on the same day at 11 A.M., the informant
received an information that PDS dealer Dinesh Rai is
supplying kerosene oil in an illegal manner and consequently,
raid was laid and the kerosene oil kept on a motorcycle in front
of the door of Dheeraj Kumar was seized. It was conveyed by
the villagers that kerosene oil was being carried by the co-
accused Vijay Sharma and the petitioner.

It is submitted by learned counsel for the petitioner that the recovery
has not been made from the possession of petitioner nor the



petitioner has any concern with the alleged motorcycle. The petitioner is not the PDS dealer, hence there is no question of violating any Control Order by him. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the villagers conveyed that the petitioner along with co-accused Vijay Sharma was carrying kerosene oil.

Considering the submission of learned counsel for the petitioner that the petitioner has no concern with the motorcycle in question and the recovery being not made from the petitioner, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sitamarhi in connection with Parsauni P.S. Case No.50 of 2018 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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