

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47475 of 2019

Arising Out of PS. Case No.-156 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. HRIDAYANAND @ HIRDIYANAND S/o Sudarshan Singh R/o Village-Yadu Bigha, P.S.- Haspura, District- Aurangabad
2. Braj Kishore Kumar S/o Krishna Singh R/o village- Pattharkatti, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 31-07-2019 Petitioners apprehend their arrest in connection with Daudnagar P.S. Case No.156 of 2019 registered under Sections 406 and 420/ 34 of the Indian Penal Code.

The allegation against the petitioners, as per written report submitted by Motor Vehicle Inspector, Aurangabad is that on 11.05.2019, a raid was conducted at the Pollution Testing Centre of the petitioners near NH-139 and in course of raid, petitioner no. 1 informed that centre belongs to petitioner no. 2, but he did not produce any paper regarding the centre as such it was presumed that centre was running illegally.

Mr. Krishna Prasad Singh, learned senior counsel for the petitioners submits that petitioner no. 1 is staff of petitioner



no. 2 and he was having a valid licence for running Pollution Testing Centre, as would be evident from Annexue-2 attached with this application. He further submits that from perusal of Annexure-2, it would be evident that licence for pollution testing centre was valid from 17.01.2017 to 16.01.2019 and before the date of conducting raid, challan for renewal of the licence was submitted before the concerned authority by the petitioner no. 2 on 11.03.2019, which has been brought on record by way of supplementary affidavit filed today.

After having heard learned counsel for the parties and taking into consideration the fact that petitioners were having a valid licence prior to raid was conducted, however, at the time of raid, no document was produced, but from perusal of supplementary affidavit, it is evident that requisite fee and challan for renewal of licence was already submitted by the petitioner no. 2 on 11.03.2019, as such, I am inclined to grant anticipatory bail to all these petitioners.

Accordingly, the petitioners, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with



two sureties of the like amount each to the satisfaction of
learned S.D.J.M., Daudnagar, Aurangabad; subject to the
condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

sujit/-

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