

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52469 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- BAIRIYA District- West Champaran

1. ASHOK KUMAR GUPTA @ PRAMOD KUMAR, aged about 50 years (Male), Son of Bechu Gupta,
2. Amit Kumar, aged about 46 years (Male), Son of Late Ravi Shankar Prasad, Both are Residents of Village - Siswa Saraiya, P.S.- Bairiya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Sharma, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 419, 420, 485, 486, 487/34 of the Indian Penal Code.

Prosecution case is that as per FIR, on 01.04.2019, the informant is being Circle Officer, Bairiya received a secret information that the accused persons are making the cement powder by the old expired cement and again packing in cement bags. Then the informant made raid in presence of B.D.O., Bairiya in Sai Rice Mills, Siswa Saraiya premises and found defective/expired cement was being packed in the branded cement bags. The informant seized the said defective cement



with loaded truck and also sealed the said go down.

Learned counsel for the petitioners submits that the petitioners are quite innocent and have committed no offence and have falsely been implicated in this case. As per seizure list nothing recovery of making the cement powder by the old expired cement and again packing in cement bags. Nothing incriminating has been recovered from the possession of the petitioners. The petitioners have got no criminal antecedent.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 120 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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