

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1432 of 2020

Arising Out of PS. Case No.-252 Year-2019 Thana- SIKARPUR District- West Champaran

Subhash Chandra Gupta, Son of Late Ram Narayan Sah, Resident of Village -
Ward No. 19, Hardia Chowk, Narkatiaganj, P.S.- Shikarpur, Distt - West
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad

For the Opposite Party/s : Mr. Parmeshwar Mehta

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 27-02-2020 Heard learned counsel appearing for the petitioner
as well as learned Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection
with Shikarpur P. S. Case No.252 of 2019 registered for the
offences punishable under Section 7 of the Essential
Commodities Act.

3. 105 litres of kerosene oil contained in a drum
was recovered from outside the house of petitioner, who
happens to be a P.D.S. Dealer.

4. Submission on behalf of the petitioner is that the
aforesaid recovery has not been made either from the shop or
from the house of the petitioner and petitioner does not have any



concern with the seized kerosene oil.

5. However, learned Additional Public Prosecutor submits that the seizure list reveals that the said recovery was made from the flour-mill of the petitioner.

6. Taking note of the contradiction in respect of place of recovery as well as accusation against the petitioner, I think it proper to extend the privilege of anticipatory bail to petitioner.

7. Accordingly, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the Court concerned, shall be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P. S. Case No.252 of 2019, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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