

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4026 of 2022

Arising Out of PS. Case No.-197 Year-2021 Thana- DAUDNAGAR District- Aurangabad

Hiraman Saw @ Hiranman Prasad Gupta, S/O Jayanath Prasad Gupta R/O
Village- Daudnagar, Bhakharua, P.S.- Daudnagar, District- Aurangabad

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Yogesh Chandra Verma- Sr. Advocate Mr. Ravi Shankar Singh- Advocate
For the Opposite Party/s :	Mr. Chandra Sen Prasad Singh- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-08-2022 Heard learned senior counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 420 and 34 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

The learned senior counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that two E-Rickshaw were seized loaded with 10 sacks of wheat each with government stamps i.e. total seizure was of 20 quintals of wheat. It is next alleged that the driver of the E-Rickshaw disclosed their name as Ramu Sao and Amrendra Kumar and confessed that Nand Lal Tiwari had loaded the said wheat on the E-Rickshaw and had asked them to deliver the same to the petitioner.



The learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. It is next submitted that the name of the petitioner transpired based on confessional statement of co-accused before the police which has no evidentiary value. It is next submitted that Nand Lal Tiwari has been granted anticipatory bail by order dated 24.02.2022 in Cr. Misc. No.37337 of 2021.

Learned A.P.P. opposes the bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Daudnagar P. S. Case No.197 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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