

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44232 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- BELSAND District- Sitamarhi

DILIP KUMAR @ DILIP KUMAR CHAUDHARY S/o Rama Nand
Chaudhary Resident of Village - Balua, P.S. - Dumra District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar, Adv.

For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-04-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioner apprehends his arrest in a case in connection with a case registered for the offence punishable under Section 7 of the E.C. Act.

Allegedly, one pickup van loaded illegally with 28 rice bags, each containing 50 kg rice has been seized by the police on the ground of Belsand Police Station. It is alleged that the petitioner is the owner of the said pickup van.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to village politics.



No such occurrence as alleged ever took place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. The apprehended driver of the vehicle disclosed the name of the petitioner as the owner of the vehicle. It is submitted that the petitioner is neither the owner of the vehicle nor has any concern with the goods recovered by the police. The said van belongs to one Dipur Kumar and after his death, it was released in favour of one Sanjay Ray. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond 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/Successor Court in connection with Belsand P.S. Case No.17 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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