

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39899 of 2022**

Arising Out of PS. Case No.-3 Year-2022 Thana- ECONOMIC OFFENCES, BIHAR
District- Patna

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ANUJ KUMAR AGRAWAL Son of Santosh Kumar Agarwal Resident of
Bank Road, P.S.- Raxaul, District - Raxaul.

... .. Petitioner/s

Versus

The Union of India through The Intelligence Officer, Directorate of Revenue
Intelligence, Regional Office, Patna, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mohit Agarwal, Advocate

For the Union of India : Mr. Ranvir Kumar, Senior Standing Counsel

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

3 11-10-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with Unit Case

No. 03 of 2022-23 registered for the offence under Section

135(1)(b) of the Customs Act, 1962.

The accused/petitioner is named in the F.I.R. and is in

custody since 20.4.2022.

The allegation against the petitioner is to have in

possession of (19½) Nineteen and a half pieces of Gold

Bullions, having total value of Rs. 1,26,15,710/-.

Learned counsel appearing on behalf of the petitioner



submitted that alleged recovery of gold bullions were made from dickey of the car, which was occupied by two persons and, as such it cannot be said that recovery of alleged gold bullions were made from the conscious physical possession of the petitioner. It is further submitted that save and except confession, no incriminating material available on record. It is also submitted that petitioner is a man of clean antecedent. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned Senior Standing Counsel appearing on behalf of the Union of India opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as recovery of alleged gold bullions not appears from the conscious physical possession of this petitioner, who is a man of clean antecedent coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Unit Case No. 03 of 2022-23 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Economic Offences,



Patna/concerned court, subject to the following conditions:

“(i) That petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be Vinod Kumar Kejriwal, who is the Maternal Uncle of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

R.S.Sen/-

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