

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57903 of 2021

Arising Out of PS. Case No.-124 Year-2021 Thana- JHANJHARPUR District- Madhubani

SAKIL AHAMAD @ SAKIL AHAMED S/o Md. Islam R/o village-
Jhanjharpur (Ward No. 13), P.S.- Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in Jhanjharpur P.S. Case No. 124 of 2021 registered under Section 420 of the Indian Penal Code, Section 7 of E.C. Act and Sections-51, 52 & 53 of Disaster Management Act.

Prosecution case in short is that five filled cylinder and 17 empty oxygen cylinders were recovered from the shop of co-accused Kanhaiya Kumar Sah whereas 6 filled and 4 empty cylinders as well as Gas welding are said to have been recovered from shop of the petitioner.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner



has been made accused in the present case due to mistake of fact. The allegation of black marketing of oxygen cylinder is denied by the petitioner. The petitioner is a dealer of oxygen cylinder. It is further submitted that the petitioner is ready to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final outcome of the case.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 15,000/- in the court below which shall be subject to final outcome of the case. On doing so, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Jhanjharpur, Madhubani in connection with Jhanjharpur P.S. Case No. 124 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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