

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63335 of 2021

Arising Out of PS. Case No.-5 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Purnia

=====

ARVIND KUMAR DOKANIA Son of Late Parmeshwar Lal Dokania,
Resident of Village - C/o M/s. Shiv Shakti Medical Agency, Ward No.25,
Mosammat Pokhar, Saharsa (Bihar).

... .. Petitioner/s

Versus

THE UNION OF INDIA

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar Shukla

For the Opposite Party/s : Mr.Anshuman Singh, Sr. Sc, Customs

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 23-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Special Case no. 5 of 2017 instituted for the offence under
Sections 132, 135, 135A of the Customs Act.

It is a case of commercial fraud. Petitioner is alleged
to be involved in national income loss through his agent by
three DFIA shipping bills. It is further alleged that the accused
persons attempted to export inferior quality of clothes by
declaring it as natural silk for wrongful gain of more than five
crores.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Petitioner has no concern with export/import done by the company. Petitioner runs his own medical agency in the name of M/S Shiv Shakti Medical Agency. Petitioner has been implicated in this case only because he had provided man power to one of the co-accused Ramanand Sureka for handling his export business. Petitioner has been penalised with an amount of Rs. Two lac under Section 114(iii) of the Customs Act, 1962 and in order to show his bonafide the same has been deposited by him vide Challan no. 1 on 04.09.2017, which is annexed as Annexure-2 to this petition.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Special Case No. 05 of 2017, he will be enlarged on bail 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 Act),
Purnea, Bihar subject to the conditions as laid down under
section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

