

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68494 of 2021**

Arising Out of PS. Case No.-84 Year-2021 Thana- RAUTA District- Purnia

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BASHIR ALAM @ BASHIR Son of Md. Khalil Resident of Village-  
Sindhiya, Sulatanpur, ChalkaGhat, Ward No. 1, P.S.- Kishanganj, District-  
Kishanganj. ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      18-07-2022                      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 Rauta P.S. Case no. 84 of 2021 instituted for the offence  
under Section 285 of the Indian Penal Code and Section 7 of  
Essential Commodities Act and Section 23 of the Petroleum  
Act.

Prosecution case relates to recovery of 600 litres of  
petrol loaded on a tempo of the petitioner bearing registration  
no. BR-37P-1002.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has got no criminal antecedent. Petitioner has no  
concern with the alleged recovery. The name of the petitioner



has been disclosed in this case by the apprehended co-accused, who was driving the alleged vehicle, has got no evidentiary value in the eye of law. Neither the petitioner was arrested nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail and submitted that carrying the huge quantity of inflammable item without license is an offensive act.

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 Rauta P.S. Case no. 84 of 2021, 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 SDJM, Purnea subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

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