

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68844 of 2021

Arising Out of PS. Case No.-215 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

SURENDRA SAH Son of Khooblal Sah R/O Village - Bishunpur Gharanand,
P.S.- Tariyani, District - Sheohar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks pre-arrest bail in connection with
Tariyani P.S. Case No. 215 of 2021, registered under Section 7
E.C. Act.

Learned counsel for the petitioner submits that
petitioner is the owner of Bolero Pick-up van, which is alleged
to be recovered from open place of his house. From the seizure
list, itself it is clear that at the time of seizure, there was nothing
present in the Pick-up van. Learned counsel further submits that
as per the F.I.R., it is the Principal, who alleged to have been
made theft of 800 kg. rice bag from the school to any other
place. Learned counsel for the petitioner further submits that he
has nothing to do with the transaction of price and he has having
clean antecedent.

Learned counsel for the petitioner further submits that maximum three years punishment is prescribed under 7 E.C. Act.

Learned counsel for the State opposes the prayer for bail but simultaneously submits that it is true that case was filed on 14.09.2021 but the alleged Bolero Pick-up Van has been seized on 15.09.2021 from the house of the petitioner and nothing was recovered.

Considering the facts and circumstances of the case that nothing was recovered from Pick-up Van of the petitioner and petitioner has no criminal antecedent, let the petitioner, above-named, in the event of his arrest/surrender within four weeks from today in the Court below, be released on 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-IIInd, Sheohar, in connection with Tariyani P.S. Case No.215 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Dr. Anshuman, J)

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