

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53859 of 2023

Arising Out of PS. Case No.-32 Year-2022 Thana- MUFFASIL District- Aurangabad

ABHISHEK KUMAR, Son of Ambika Singh, Resident of Gram- Kanchanpur
Anchal, P.S. Barun, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. N.K. Agrawal, Sr. Adv.
:	Mr. Mithlesh Kumar Gupta, Advocate
:	Mr. Kumar Rajdeep, Advocate
:	Mr. Arvind Kumar, Advocate
For the Opposite Party/s :	Mr. J.N. Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

2. The petitioner apprehend his arrest in connection with
Muffasil Aurangabad P.S. Case No. 32 of 2022, registered for the
offences punishable under Sections 420, 379, 414 of the Indian Penal
Code and 7 E.C. Act and 23 of Petroleum Act 134.

3. As per allegation, the accused persons were engaged in
illegal trade of diesel. On raid, several syntax tanks containing huge
quantity of diesel were recovered.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated. He is a
person of clean antecedent. As a matter of fact, the recovered
substance was not diesel but was a thinner used in painting and the



petitioner is a bona fide purchaser of the thinner. The receipt of purchase has been annexed. Learned counsel has submitted that due to some ulterior motive, 17 persons have been made accused.

5. On the other hand, learned APP, Mr. J.N. Thakur, has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, Bihar in connection with Muffasil P.S. Case No. 32 of 2022, subject to the conditions as laid down under Section 438(2) CrPC.

7. **After accepting the bail bond, the criminal antecedent of the petitioner shall be verified. The petitioner shall remain physically present in the Court below on each and every date, till framing of the charges.**

(Nawneet Kumar Pandey, J)

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