

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7474 of 2024

Arising Out of PS. Case No.-934 Year-2023 Thana- BARACHATTI District- Gaya

=====

Tinku Kumar S/o Ramdev Yadav R/o Vill - Kahudag, P.S. - Barachatti, Dist. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Suraj Narayan Yadav, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 934 of 2023 registered under Section 7 of the E.C. Act lodged on 16.10.2023 by the informant, Ajit Kumar.

As per the prosecution story, the police upon information reached near Lambu Hotel and from its backyard, 1400 liters diesel kept in 7 drum, as also 40 liters chemical kept in a Jar were recovered. Accordingly, the FIR.

As the hotel is in the name of the petitioner, he has been made accused.

Learned counsel for the petitioner submits that though he is owner of the said hotel, he has let out the same to one



Ranjan Kumar S/o Dhurv Prasad on 28.03.2023 which has also been put on record by way of Annexure-2. He had no role to play in the alleged seizure.

Learned APP for the State opposes the prayer for bail stating that the hotel belongs to the petitioner.

Considering the submissions put forward by the parties, the document is on record showing that he has let out the hotel to one Ranjan Kumar, do not have criminal antecedent, FIR lodged and ultimately he will be facing the trial, this Court is inclined to grant him privilege of bail.

Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Sherghati, District – Gaya in connection with Barachatti P.S. Case No. 934 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

