

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62599 of 2024

Arising Out of PS. Case No.-2 Year-1990 Thana- GOVERNMENT OFFICIAL COMP.
District- Samastipur

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Shyam Lal Mahto son of Late Dukan Mahto Village- Nazirpur Ps- Ujiyarpur
Dist- Samastipur Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar Choudhary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 20-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with G.O. Case No. 02 of 1990 for the offence under Section 7 of the Essential Commodities Act.

3. As per the prosecution story, the informant alleged that on the basis of inspection at M/S Budh Gas Service which was conducted on 04.04.1990. During the course of inspection only the petitioner – Shyam Lal Mahto was present whereas owner and manager were absent, at that time only one volume of cashmemo was produced and no other relevant documents/register were shown. It is further alleged that 29 cylinders were found less in number which was supposed to be sold in black market.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case. He further submitted that the petitioner was doing work of labour



and he has got no concern with the seized gas cylinders and he has been dragged in this case on mere suspicion.

5. Learned APP vehemently opposes the prayer for bail and submitted that the F.I.R. is of the year 1990 and after lapse of 34 years he has filed this anticipatory bail application, it will be better he seeks regular bail.

6. From perusal of the order of learned District and Sessions Judge dated 18.04.2024 it appears that the petitioner has knocked the door of this Court after lapse of 34 years. However, it is clear from the FIR and impugned order that petitioner is not any way connected with the ownership of the concerned gas agency. He was merely employed as a labour at the relevant date and time. The petitioner is hereby directed to appear before the Trial Court and pray for his regular bail and the Trial Court will consider his bail keeping in view the aforesaid facts on the same day.

7. Accordingly, this bail application stands disposed of.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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