

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59247 of 2023

Arising Out of PS. Case No.-100 Year-2023 Thana- MOHAMMADPUR District- Gopalganj

Chunnu Singh @ Prabhat Kumar Singh @ Chunnu Son Of Shambhu Singh
Resident Of Village Kasih Tengrahi Ps Mohammadpur District Gopalganj
... .. Petitioner/S

Versus

The State Of Bihar Patna Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surendra Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsel for the petitioner and Mr. Dilip
Kumar No.1, learned A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with
Mohammadpur P.S. Case No. 100 of 2023 dated 28.04.2023,
registered for the offence punishable u/s 7 of the Essential
Commodity Act, pending in the court of learned S.D.J.M.,
Gopalganj.

3. As per the F.I.R., on a secret information, police raided
Raghubir Line Hotel and seized 34 domestic gas cylinders of
Indane, Bharat & H.P. Gas and other articles from there. It
transpired that black marketing of subsidized domestic gas was
being illegally done from the said premises. On query, local
people disclosed that the premises is of the petitioner.

4. Learned counsel for the petitioner submitted that the
petitioner is quite innocent and has been falsely implicated in
this case due to previous grudge. The allegations levelled



against the petitioner is general and omnibus in nature. He further submits that the said hotel does not belongs to the petitioner, petitioner is owner of another hotel which is now closed for years. He has no concern with the recovered articles and the said hotel.

5. Per contra, learned APP for the State vehemently opposed the bail petition submitted that the the report came in case diary has supported the prosecution case, allegations levelled against the petitioner is serious in nature, it is not fit case to grant anticipatory bail, hence he does not deserve anticipatory bail.

6. Considering the facts and circumstances of case, the nature of offence is serious, I am not inclined to enlarge the petitioner on bail. The prayer for bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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