

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67076 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- AMAS District- Gaya

=====

Samsher Prasad @ Syamdeo Prasad S/o- Kuldeep Prasad Resident of Village-
Naugarh, P.S. Amas, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 03-10-2024 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Amas Police Station Case No. 137 of 2024, dated 12.05.2024, disclosing offences under Sections 379/411 of the Indian Penal Code and Section 7 of the Essential Commodities Act.
3. The prosecution case, as per the First Information Report, is that the police got secret information that the petitioner, who is running his shop at G.T. Road, was selling stolen diesel, taken out from the vehicle by the driver, at higher prices in order to earn profit. The police proceeded towards the shop of the petitioner and upon seeing the



police party, one person started running and succeeded in fleeing away from the spot. However, 50 liters of diesel was recovered from the shop of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case by the police due to oblique motive. No material is there against the petitioner to connect him with the present offence. He next submits that the petitioner is bonafide owner of the shop dealing in grocery near the G.T. Road and was not aware about the diesel being kept in the shop by trucks and vehicle drivers.
5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Sherghati, Gaya, in connection with Amas Police



Station Case No. 137 of 2024, subject to the condition
laid down under Section 438 (2) of the Code of Criminal
Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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

