

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.958 of 2025

Arising Out of PS. Case No.-123 Year-2006 Thana- RAMGARHWA District- East
Champaran

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Lal Babu Prasad @ Lallu Son of Late Hari Shankar Prasad Resident of
Village-Ramgarhwa Bazar, P.S.- Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Vijay Shankar Shrivastava, Advocate Mr. Ritesh Kr. Sinha, Advocate
For the State	:	Mr. Pramod Kr. Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 7 of the Essential Commodities Act.

3. As per prosecution case, on secret information a raid was conducted in the house of this petitioner and two drums containing total 350 litres of kerosene oil were recovered from near the boundary wall of the house which goes to show that the same was kept for the purpose of black marketing.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. Petitioner has got no concern with the alleged recovery. No incriminating article has been



recovered from conscious possession of this petitioner. After institution of the present case, investigation was taken up and after completion of the same the investigating officer submitted final form and petitioner was not sent up for trial. However, differing with the same, the learned S.D.J.M., vide order dated 24.09.2011, has taken cognizance against this petitioner and thereafter summon has been issued and in the month of October, 2024, non-bailable warrant has been issued against this petitioner. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, nature of accusation and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Ramgarhwa P.S. Case No. 123 of 2006, subject to



condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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