

Dilip Kumar Yadav vs The State Of Bihar on 3 February, 2022

Author: Anjani Kumar Sharan

Bench: Anjani Kumar Sharan

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35442 of 2021
Arising Out of PS. Case No.-178 Year-2020 Thana- BOCHAHAN District- M
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DILIP KUMAR YADAV Son of Sardari Yadav Resident of Village - Behata,
P.S.- Benipatti, Distt.- Madhbani.

... .. Petitioner/

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Jharkhandi Upadhyay

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

2 03-02-2022

Heard learned counsel for the parties through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of normal court proceedings. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioner apprehends his arrest in Bochahan P.S. Case No.178 of 2020, registered for the offences punishable under Sections 188, 272, 273 and 328 of the Indian Penal Code and Section 59(iii) of the Food Safety Standard Act, 2006.

A pick-up van was seized loaded with prohibited Pan Masala. Dashrath Ram and Ashish Mahto, the driver and khalasi, were apprehended and they disclosed the name of the petitioner as owner of the said pick-up van.

Learned counsel for the petitioner submits that the Patna High Court CR. MISC. No.35442 of 2021(2) dt.03-02-2022 petitioner is innocent and has falsely been implicated in the present case. It is further submitted that the petitioner is the owner of the said pick-up van, therefore, he has been made accused in the present case. No specific allegation is alleged against the petitioner. It is also submitted that the petitioner has got no criminal antecedent as stated in para 3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioner.

Having considered the facts aforesaid, let petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1 st Class, East, Muzaffarpur in connection with Bochahan P.S. Case No.178 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J.) Sanjay/-

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