

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10120 of 2015

Arising Out of PS.Case No. -218 Year- 2014 Thana -BAISI District- PURNIA

1. Abul Fazal Md. Nasir S/o Md. Ahmad Hussain Resident of Village- Line Masjid Kishanganj, P.S. & District - Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.10849 of 2015

Arising Out of PS.Case No. -218 Year- 2014 Thana -BAISI District- PURNIA

1. Rajeev Kumar @ Rajeev Kumar Singh Son of Shri Sachchidanand Singh Resident of Mohalla - Sipahi Tola, Baksa Ghat Road, P.S. - K. Hat, District - Purnia At present posted as Executive Assistant, Paddy Purchase Centre Baisi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.10120 of 2015)

For the Petitioner/s : Mr. N. K. Agrawal.

For the Opposite Party/s : Mr. Indu Bala Pandey(App)

(In Cr.Misc. No.10849 of 2015)

For the Petitioner/s : Mr. Rana Pratap Singh, Sr. Advocate.
Mr. Aaruni Singh

For the Opposite Party/s : Mr. Dilip Kumar(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

9 27-10-2015 Both the above-said petitions arise out of Baisi P.S. Case No. 218 of 2014 registered under Sections-409,420/34 of the Indian Penal Code and accordingly, both the above-said petitions are being heard and disposed of by this common order.

Heard learned counsels for the petitioners as well as learned Additional Public Prosecutor for the State.

The accusation against these petitioners is that they, being employees of Bihar State Food & Civil Supplies Corporation Ltd. misappropriated paddy to the tune of Rs. 1,16,38,855.36 for which, petitioners are languishing in jail custody since 22-10-2014.

The trial court has reported that charges were framed against petitioners on 02-05-2015 but uptill now, not a single prosecution witness has been examined though summonses have already been issued to the prosecution witnesses.

Considering the above-said facts and circumstances of the case as well as submission of the parties, let the petitioners named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Baisi P.S. Case No. 218 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Purnea subject to condition that the petitioners shall attend the trial court, in person on each and every date for a period of six months or till conclusion of his trial, whichever is earlier and if, they fail to do so on two consecutive dates without any reasonable cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

However, this court expects that the prosecution shall
examine its witnesses within the above-said period of six months.

(Hemant Kumar Srivastava, J)

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