

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10733 of 2015

Arising Out of PS.Case No. -253 Year- 2014 Thana -JAGDIHSPUR District- BHOJPUR

1. KANHAIYA LAL SHARMA Son of Late Rajeshwar Prasad Sharma,
resident of village- Bimwa, P.S.- Jagdishpur, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chittaranjan Sinha, Sr. Advocate &
Mr. Anirban Kundan, Advocates
For the Informant : Mr. Gopal Swaroop Dubey, Advocate
For the State : Mr. Pranav Kumar (APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-03-2015 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 406 and
420 of the Indian Penal Code.

It is alleged that the petitioner being appointed as a
collecting agent in Bimwa PACS, collected money and it was
not deposited.

It is submitted by the learned counsel for the
petitioner that the present case has been lodged by the
informant, Chairman of the PACS to save his skin. The
petitioner has filed Informatory Petition No. 2341(I) of 2014 on
20.06.2014 thereafter on 26.08.2014 the present First
Information Report has been lodged. The investigation is still

going on.

Considering the delayed lodging of the case and it is admitted that the audit of the alleged PACS has not been finalized, let the above named petitioner be released on provisional anticipatory bail till conclusion of the investigation in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Jagdishpur P.S. Case No. 253 of 2014, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The bail bond of the petitioner shall be accepted by the learned court below on filing affidavit to the effect that he will cooperate during investigation. The said affidavit will be transmitted to the concerned I.O. The non-cooperation in the investigation will give liberty to the learned court below to cancel the bail bond of the petitioner.

(Dinesh Kumar Singh, J)

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