

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14681 of 2015

Arising Out of PS.Case No. -18 Year- 2015 Thana -HASPURA District- AURANGABAD

Sujit Kumar S/o Surajmal Mahto Resident of Village Jakhaura, P.S. Haspura, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bindeshwar Prasad Singh, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra(APP)

CORAM: HONOURABLE MR. JUSTICE I. A. ANSARI
ORAL ORDER

4 25-06-2015

This is an application, made under Section 438 of the Code of Criminal Procedure, seeking pre-arrest bail by the petitioner, namely, Sujit Kumar, in connection with Haspura Police Station Case No. 18 of 2015 under Sections 420/406/409 of the Indian Penal Code.

Perused the above application and materials on record including a copy of the order, dated 21.03.2015, passed, in A.B.P. No. 180 of 2015, by the learned Sessions Judge, Aurangabad, dismissing the said application for pre-arrest bail and, order, dated 04.02.2015, passed in Cr. Misc. No. 4738 of 2015, by a Bench of this Court granting benefit of pre-arrest bail to the Chairman of Dadhapi Primary Agricultural Credit Society with the following observations:



“The contention on behalf of the petitioner is that in cash credit scheme the bank issued cheque directly to the farmers and after purchased the paddy, the PACS supplies paddy to Bihar State Food and Civil Supply Corporation of India from where the cheque is directly issued to the concerned bank and therefore, there is no role of Chairman of PACS in dealing with the cash. Moreover, two cheques of Dadhapi PACS are pending in the Bihar State Food and Civil Supply Corporation of India and the said cheques are not being sent to the concerned bank for which the petitioner has already filed civil writ before this Court.”

Heard Mr. Bindeshwar Prasad, learned Counsel for the petitioner, and Mr. Ramesh Chandra, learned Additional Public Prosecutor, appearing on behalf of the State.

Considering the fact that similarly situated co-accused has been granted benefit of pre-arrest bail by a Bench of this Court by order, dated 04.02.2015, passed in Cr. Misc. No. 4738 of 2015, it is hereby, in the interest of justice, directed that the petitioner above-named shall, in the event of his arrest in



connection with the case aforementioned, be released on bail of Rs. 10,000/-, with two sureties of the like amount, subject to the satisfaction of the Officer-in-Charge, Haspura Police Station, District-Aurangabad. This direction for bail is further subject to the condition that the petitioner above-named shall, within two weeks from today, appear before the Officer-in-Charge, Haspura Police Station, District-Aurangabad, and make himself available for interrogation by police at all reasonable time and shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.

This application for pre-arrest bail shall stand disposed of in terms of the above observations and directions.

Let a copy of this order be sent, forthwith, to the Officer-in-Charge, Haspura Police Station, District-Aurangabad.

Send also a copy of this order, forthwith, to the Superintendent of Police, Aurangabad, by fax.

Mkr./-

(I. A. Ansari, J.)

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