

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43914 of 2014

Arising Out of PS.Case No. -164 Year- 2002 Thana -JAGDISHPUR District- BHAGALPUR

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1. Md. Abbas Alam @ Abbash Alam Son of Late Abid Ali, Resident of
Village - Puraini (South), Police Station - Jagdishpur, Distt. - Bhagalpur.
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

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28-07-2015

Heard learned counsel for petitioner and

learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 164 of 2002 registered under Sections-467, 468, 469, 471, 409, 406, 120(B) of the Indian Penal Code.

Petitioner happens to be PDS dealer and it is alleged that petitioner and several other persons including Government Officials, got prepared fake and forged red cards and on the basis of above-said forged red cards, wheats of the government schemes were lifted.

Admittedly, the present case was registered in the year, 2002 and in the year, 2005, the petitioner approached the learned Sessions Judge for grant of anticipatory bail but his prayer was turned down. The investigation of this case has been completed in respect of some accused persons, sometime in the year 2013 and still

investigation is pending in respect of some accused. Moreover, it appears that the investigating officer did not take any step to nab the petitioner during course of investigation and, therefore, even if, it is assumed that petitioner knocked the door of this court after 12 years of the occurrence, then also, there is nothing on the record to show that petitioner was evading his arrest.

Considering the aforesaid facts and circumstances as well as submission of the parties and also keeping in mind that having similar allegation, some co-accused, have already been granted privilege of anticipatory bail by learned Sessions Judge itself, let the petitioner named above, in the event of his arrest or surrender within four weeks from the date of receipt/production of copy of order in the court below, , be released on bail on furnishing bail bond of Rs 10,000/- (ten thousand) with two sureties of the like amount each in connection with Jagdishpur P.S. Case No. 164 of 2002 to the satisfaction of Chief Judicial Magistrate, Bhagalpur subject to conditions as laid down u/S 438(2) of the Cr. P.C.

(Hemant Kumar Srivastava, J)

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