

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16954 of 2013

Arising Out of PS.Case No. -164 Year- 2011 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

- =====
1. Nityanand Pandey,
 2. Virendra Kumar Singh,
 3. Saryug Thakur,
 4. Bacchu Ram,
 5. Ravindra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. Kanhaiya Kishor (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 23-03-2015 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 406, 409 and 120B of the Indian Penal Code.

It is alleged that in place of accused Awadhesh Singh, one Pramod Kumar was posted as Assistant Incharge in Bihar State Ware House Corporation Limited but due to non-handing over the charge, ultimately wheat worth Rupees three to four crores was found short. The petitioner was not named in the FIR. Subsequently, a supplementary FIR was lodged making accusation against the accused persons including the petitioner. The same was challenged in

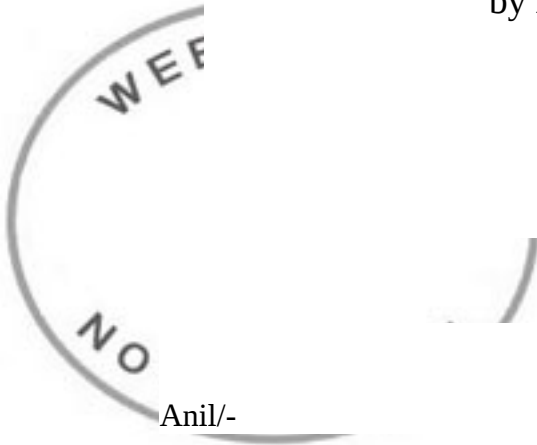
CWJC No. 15803 of 2011 whereby letter no. 111 dated 1.8.2011 whereby supplementary FIR was directed to be lodged, was quashed with liberty to the investigating agency that if the materials come during investigation against the petitioner, the charge sheet can be submitted against the petitioner.

This is not in dispute that the investigation has still not been concluded. Co accused have been granted anticipatory bail vide Cr. Misc. No. 14052 of 2013.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail till conclusion of investigation in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 164 of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The bail bonds of the petitioner will be accepted on filing of an affidavit by the petitioner before the learned court below that they shall regularly cooperate in the investigation. The said affidavit will be transmitted by the learned court below to the concerned I.O. Non cooperation

in investigation by the petitioner will give liberty to prosecution to file application for cancellation of bail bond by learned court below.



(Dinesh Kumar Singh, J)

Anil/-

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