

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42601 of 2016

Arising Out of PS.Case No. -195 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

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Pankaj Kumar, son of Ram Vinod Singh, Resident of Village- Tilaktajpur,
P.S.- Runnisaidpur, District- Sitamarhi. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

2 19-10-2016

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Runnisaidpur P.S. Case No. 195 of 2015, disclosing offences under Sections 420, 467, 468, 409, 406 and 120B/34 of the Indian Penal Code.

The petitioner is the Chairman of Tilaktajpur PACS in the district of Sitamarhi. It is alleged that on the basis of incorrect land possession certificate issued by the Circle Officer of the concerned Block showing area of the land excess to actual area of land in possession and on that basis the PACS purchased paddy from such farmers more than what could have been purchased under the scheme.

Learned counsel appearing on behalf of the petitioner has submitted that the purchase has been made on the basis of land possession certificate as issued by the Circle Officer and if there is

any illegality, it is at that stage. The petitioner was required to make purchases on the basis of land possession certificates issued by the Circle Officer. He has also submitted that in similar circumstanced several other persons have been allowed the privilege of anticipatory bail by this Court.

Considering the submissions as above, this application is allowed.

Let the petitioner, above-named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 195 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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