

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49408 of 2015

Arising Out of PS.Case No. -233 Year- 2015 Thana -JOKIHAT District- ARRARIA

1. Sri Reza Akhtar @ Md. Raza Akhtar @ Reza Akhtar S/o Sri Aafaque
Alam @ Md. Afaque Resident of Village - Dumaria, P.S. Jokihat, District -
Araria.... .. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nagendra Pd.(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 02-02-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Jokihat P.S. Case
No. 233 of 2015 registered for the offences punishable under Sections
406, 409, 420/34 of the Indian Penal Code.

Allegedly, the petitioner being ex-chairman of Prasadpur
PACS and co-accused Salim Zafar being member of Executive
Committee and Manager did not supply paddy to purchasing center and
embezzled an amount of Rs. 6,13,559/-.

Submission is of false implication and that no offence as
alleged is made out against the petitioner, cash credit of amount of Rs.
4,00,000/- was given to Prasadpur PACS for the year 2011-12 and
accordingly, paddy of aforesaid amount was purchased from farmer
members, the cheques issued were not encashed and were stopped
resulting the same was returned by the Bank Manager, the petitioner

has filed Complaint Case No. 488C of 2013, certificate proceeding has already been started for price amount of Rs. 4,00,000/- and interest of Rs. 90,114/- for the same occurrence, the petitioner is suffering in custody since 10.08.2015, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned AP fairly submits that chargesheet has already been submitted against the petitioner.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Araria in connection with Jokihat P.S. Case No. 233 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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