

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48102 of 2016

Arising Out of PS.Case No. -152 Year- 2016 Thana -KATORIA District- BANKA

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1. Kailash Yadav @ Kailash Pd. Yadav Son of Moti Yadav Resident of
Village -Amtua, P.S- Katoriya (Suiya O.P) District - Banka.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Smt. Asha Devi

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 16-12-2016

Heard Mr. Rama Kant Sharma, Sr. Advocate, for

the petitioner and Ms. Asha Devi APP for the State.

Apprehending his arrest in connection with
Katoriya (Suiya) P.S. Case No. 152 of 2016, registered under
Sections 406 and 420 of the IPC, the present application is for
grant of anticipatory bail.

The Sub Transporting Agent of the State Food
Corporation lodged the case that although 87 quintals of Food
material were lifted and handed over to the petitioner who is a
PDS dealer but no receipt was given inasmuch as the papers
concerning the transportation thereof were also not returned by
the petitioner.

Contention of the petitioner is that for the similar



allegation, with regard to the quantity of food materials alleged in the FIR, the Supply Officer lodged a case against the petitioner under Section 7 of the E.C. Act as also reflected in the present FIR in which the petitioner, on a consideration of the submissions has been granted anticipatory bail vide order dated 13.12.2016 passed in Cr. Misc. no. 48468 of 2016.

Let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J. M. Banka, in connection with Katoriya (Suiya) P.S. Case No. 152 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial Court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the



petitioner and secure his arrest in
accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

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