

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4229 of 2016

Arising Out of PS.Case No. -332 Year- 2015 Thana -FORBESGANJ District- ARRARIA

1. Md. Shakil Ahmad @ Md. Shakil son of Alimuddin Resident of Village-
Bokra, Police Station- Simraha, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Aditya Narayan Singh - 1(App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-04-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a
case registered for the offences punishable under Sections
406/420/120B/34 of the Indian Penal Code.

Diary in this case was called for earlier which has since
been received.

Learned counsel for the petitioner submits that there is
allegation against him that the petitioner as Secretary of the Bokra
PACS had taken two cheques for purchase of paddy from the
farmers. The two cheques of 85, 150/- and Rs. 65, 500/- were
received by the petitioner through cheques No. 0121352 dated
20.06.2014 and also cheques No. 0121359 dated 06.02.2014. The

allegation is that though he withdrew the aforementioned cheques, no paddy was purchased by him. He submits that the situation arose on account of a certain unseen circumstances and he is willing and ready to return the aforementioned amounts totaling Rs. 1,50,650/- only. He submits that fifty per cent of the aforementioned total amount shall be paid back to the bank within a period of four weeks from the date of receipt/production of a copy of this order and that the rest amount shall be returned within three months thereafter.

Considering bonafide submission made by the petitioner, let the petitioner, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 332 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

It is made clear that the present order shall be made effective only after the petitioner files his receipt in the Court below and surrenders thereafter.

(Anjana Mishra, J)

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