

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26979 of 2016

Arising Out of PS.Case No. -183 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

1. Vijay Kumar @ Vijay Kumar Singh Son of late Sukho Singh @ Late Sukhdeo Singh resident of Village- Rampur PS Suryagarha District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the State : Mr. R.P.S. Singh, APP
For the informant : Mr. Gopal Kumar Singh
For opposite party nos.3 to 7 Mr. P.N. Shahi

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

07/ 08.09.2016 Heard learned counsel for the petitioner as well as learned Addl. Public Prosecutor for the State and also heard learned counsel for opposite party no.2 to 7.

Petitioner seeks bail in a case registered under sections 420 and 406 of the Indian Penal Code.

Petitioner was Chairman of the Pacs and accusation against him is that he took paddy from the farmers and made part payment to them and it is alleged that rest payment of the farmer was embezzled by the petitioner.

Submission on behalf of the petitioner is that officials of the State Food Corporation accepts paddy from pacs on the basis of data bas report prepared by the Circle officer and, as a matter of fact, in the present case, Circle officer prepared list and on the basis of data list of

the Circle officer, Corporation accepted paddy and remaining paddy was returned to Pacs and thereafter, said paddy was returned to respective farmers but unfortunately, petitioner under bona fide faith could not take receipts of the aforesaid return resulting filing of the present case and moreover, petitioner is in jail custody since 4.3.2016 and the aforesaid fact was found true by the Inquiry team constituted by the concerned District Magistrate which is evident from annexure 2 to this petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Lakhisarai in Suryagarha P.S. Case no. 183/2015.

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(Hemant Kumar Srivastava,J)

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