

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5209 of 2017

Arising Out of PS.Case No. -46 Year- 2016 Thana -BUXAR COMPLAINT CASE District- BUXAR
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1. Arvind Kumar @ Ramesh Kumar Gupta, Son of Shri Loknath Sah @ Shri Loknath Prasad, resident of village - Kesath, P.S. Nawanagar, District - Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Firoz Ansari @ Firoz Mian, Son of Gaffar Mian @ Gaffur Mian, resident of village - Kesath, P.S. Nawanagar, District - Buxar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Nityanand Mishra

For the Opposite Party/s : Mr. Sri Sadanand Paswan
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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 07-07-2017 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 406, 409, 420, 323 and 504 of the Indian Penal Code.

The complaint based allegation, against the petitioner, who is the Chairman of the PACS as well as the PDS dealer, is that he misappropriated the grains meant for distribution among the consumers. In the core question, the complainant had stated that he had not made any complaint to the District Supply Officer.

Submission is that during inquiry, no material, especially, documentary was brought on the record to



substantiate the allegation. The matter was sent for mediation which failed.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar/successor Court in connection with Complaint Case No. 46(C) of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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