

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39971 of 2017

Arising Out of PS.Case No. -88 Year- 2000 Thana -SURSAND District- SITAMARHI

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1. Sarv Narayan Jha, S/o- Late Kriti Narayan Jha, the then Block Agriculture Officer, Sursand, District- Sitamarhi.
 2. Dr. Vinod Kumar Singh, S/o- Late Chandrika Singh, the then Block Animal Husbandary Officer, Sursand, District- Sitamarhi. At present- resident of Village- Road No.- 3, Wasko Nagar, P.S.- Jagarnathpur, District- Ranchi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 31-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Sursand P.S. Case No. 88 of 2000 instituted for the offence under Sections 467, 468, 406, 408, 409, 420, 120(B), 109 of the Indian Penal Code and Section 7 of the Essential Commodities Act.

It has been submitted on behalf of the petitioners that there has been some irregularities committed by the PDS Dealer in distribution of food grains amongst the consumer of BPL. It has further been submitted that petitioner No. 1 was Block Agriculture Officer and petitioner No. 2 was Medical Officer, Block Animal



Husbandry department, at the relevant time. They have no concern with the distribution of food grain which was done by the PDS dealer and the same was distributed amongst the BPL card holders.

It has been submitted that other co-accused persons have been granted anticipatory bail by coordinate Benches of this Court vide orders dated 24.03.2015 and 17.03.2010 passed in Cr. Misc. 13055 of 2014 and 45958 of 2009 respectively.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Sursand P.S. Case No. 88 of 2000, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri at Sitamarhi, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will



automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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