

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55703 of 2016

Arising Out of PS.Case No. -148 Year- 2016 Thana -PALIGANJ District- PATNA

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Ram Kumar, Son of Raghunath Singh, R/o Village- Bherahariya, P.S.
Paliganj, District- Patna.

.... Petitioner.

Versus

The State of Bihar.

.... Opposite Party.

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Appearance :

For the Petitioner : Mr.

For the State : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Paliganj P.S. Case No.148 of 2016 registered under Sections 420
and 409 of the Indian Penal Code.

The accusation is that the petitioner being the proprietor
of Deo Traders, Mahabalipur, received 23 quintals Moong and 25
quintals Dhaicha to distribute amongst the agriculturists but the
petitioner did not distribute the same amongst the agriculturists
and misappropriated the same.

Learned counsel appearing on behalf of the petitioner
submits that, admittedly, the petitioner received 23 quintals



Moong and 25 quintals Dhaicha to distribute amongst the agriculturists but no further direction was issued to the petitioner for its distribution. Moreover, while vide letter no.58 dated 28.05.2016 issued from the office of the Block Agriculture Officer, Paliganj, the petitioner was informed to deposit Rs.2,72,550/-, the price of 23 quintals Moong, and Rs.93,750/-, the price of 25 quintals Dhaicha, total Rs.3,66,300/- but in spite of that, the petitioner is ready to deposit the said amount within four months.

Having considered the facts and the circumstances of the case and submission made on behalf of the petitioner, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on provisional anticipatory bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Paliganj, District-Patna, in connection with Paliganj P.S. Case No.148 of 2016, subject to the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that the petitioner will deposit the aforesaid amount of Rs.3,66,300/- within four months from today in the concerned department and if he does so, the provisional



anticipatory bail granted to the petitioner shall automatically be confirmed by the trial court and if he fails to do so, the trial court would be at liberty to cancel the provisional anticipatory bail granted to the petitioner.

Accordingly, this application stands disposed of.

(Rajendra Kumar Mishra, J)

P.S./-

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