

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.17769 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -SABAUR District- BHAGALPUR

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Neeranjan Kumar Singh, Son of Late Shiv Muni Singh, resident of
Village- Parghari, P.S.- Sabour, District- Bhagalpur..... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 22-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Sabour P.S.
Case No. 131 of 2016 registered for the offences punishable under
Sections 409, 419 and 420 of the Indian Penal Code.

The petitioner is not named in the first information report.
In the first information report the allegation is against one
Dhirendra Kumar who was the Chairman of Baijnathpur
Paraghgari PACS. He has purchased 2443 quintals paddy to
supply 1636.81 quintals CMR after milling to the SFC, Bhagalpur
but he supplied only 975 quintals rice and rest 661.81 quintals
rice was not supplied by him.

Learned counsel for the petitioner submitted that during
investigation only on suspicion the name of the petitioner has been
added without any statement of witnesses, supervising authority in



paragraph 16 of the case diary has stated regarding involvement of ex-manager of the PACS and accordingly, the petitioner has been apprehended in this case. Dhirendra Kumar the FIR named accused has already been allowed provisional bail vide order dated 30.03.2017 passed in Cr. Misc. No. 13395 of 2017 with condition that he will deposit Rs. 16 lakhs in favour of Bhagalpur Central Co-operative Bank, the alleged defalcated amount, and as such the petitioner also deserves sympathetic consideration as he is suffering in custody since 23.12.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP fairly submits that FIR named accused has already been allowed provisional bail and he has to deposit the alleged defalcated amount.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. X, Bhagalpur in connection with Sabour P.S. Case No. 131 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner



shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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