

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54414 of 2017

Arising Out of PS.Case No. -215 Year- 2016 Thana -SHIVSAGAR District- SASARAM
(ROHTAS)

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Niranjan Kumar, S/o Lalan Singh, R/o Village- Kajhawan, P.S.- Sheosagar,
District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar
2. Satyendra Kumar Singh, Block Co-operative Officer, Sheosagar, Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh, Advocate.

For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

- 2 15-11-2017 Heard learned counsel for the petitioner and the State.
- Today, a supplementary affidavit has been filed on
behalf of the petitioner. Let it be kept on the record.
- The petitioner apprehends his arrest in **Sheosagar
(Baddi) P.S. Case No. 215 of 2016** instituted for the offence
under Sections 407, 409 and 420 of the Indian Penal Code.
- There is allegation that Chairman of NAAD PACS,
Sheosagar, namely, Prithvi Narayan Singh and the petitioner being
the Manager did not deposit 968.78 quintal of rice to the SFC for
which last date assigned to PACS was 31.07.2016.
- Learned counsel for the petitioner has submitted that
he was Manager of NAAD PACS Shivsagar.



Annexure-2 to the supplementary affidavit shows that the petitioner was appointed by PACS Chairman in a meeting. He was not responsible for any financial lapse. He was only given work to contact with farmers and also to maintain document. He was temporarily appointed on getting monthly salary of Rs.3,000/- per month. As such, he was not involved with the financial transaction which was done by the PACS Chairman.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sheosagar (Baddi) P.S. Case No. 215 of 2016**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Rohtas at Sasaram**, 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) petitioner 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 petitioner and (3) if



petitioner tampers 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 petitioner.

S.Ali/-

(Sanjay Priya, J)

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