

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1883 of 2018

Arising Out of PS.Case No. -120 Year- 2016 Thana -LAUKHI District- MADHUBANI

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Ram Bahadur Sah, son of Late Saudagar Sah, Resident of village - Jhitaki,
P.S. - Laukahi, District - Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Jha, Advocate

For the Opposite Party: Mr. Jitendra Kr. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 11-01-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 23.09.2017 in connection with Laukahi P.S. Case No. 120 of 2016 corresponding to G.R. No. 1222/2016 for the offences alleged under Sections 420, 409 and 120(B) of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely implicated as he being the Chairman of the PACS of Gram Panchayat Raj Bangama South of Laukahi Block purchased 1596.50 quintal paddy and on the direction of the informant himself, supplied the same to the concerned Miller as per the agreement. The concerned Miller has given a certificate (Annexure-4) that 505.17 quintal of CMR rice remained outstanding. It is therefore submitted that there is no question of misappropriation of CMR rice which the petitioner has not received from the Miller. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the



satisfaction of Sri S.K. Roy, learned Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani, in connection with Laukahi P.S. Case No. 120 of 2016 corresponding to G.R. No. 1222/2016, on the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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