

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67570 of 2018

Arising Out of PS. Case No.-122 Year-2012 Thana- BHAGWANPUR District- Vaishali

Hira Kumar, Son of Shatrudhan Singh, Resident of Village- Khoksa Kalyan,
P.S.- Desri, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Mr. Sri Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 27-11-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in connection with Bhagwanpur P.S. Case No. 122 of 2012 registered for the offence punishable under Sections 406, 409, 467, 468 of the Indian Penal Code.

Petitioner is the Transporter of BSFC and informant is rice miller. The allegation against petitioner is that he has received total rice 22410 quintal CMR but he has deposited only 12690 quintal CMR of rice in the Godown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. During investigation police verified the signature of petitioner before the Forensic Science Laboratory, Bihar, Patna and



opinion of the State Examiner of questioned documents was that two signature do not tallies. It has been further submitted that police has submitted final form. Petitioner has no criminal antecedent and he is in custody since 25.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Hajipur (Vaishali), in connection with Bhagwanpur P.S. Case No. 122 of 2012 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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. Kumar, J)

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