

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31953 of 2018

Arising Out of PS.Case No. -58 Year- 2017 Thana -PUPRI District- SITAMARHI

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Vijay Kumar Jha Son of Gopi Kant Jha Resident of Village - Barva Ojha,
P.S. Yogapatti, District - West Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. District Manager, B.S.F.C., Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhubala Verma
For the State : Mr. Kumar Ranjit Ranjan, APP
For BSFC : Mr. Sanjeev Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 16-07-2018

Heard learned counsel for the petitioners and the State.

The petitioner apprehends arrest in Pupri P.S. Case No. 58 of 2017 instituted for the offence under Sections-409, 406, 420 of the Indian Penal Code.

It has been submitted by counsel for the petitioner that the petitioner has already handed over the charge of aforesaid godown to Anil Kumar Sharma. After Anil Kumar Sharma, one Sahzad Alam took the charge of aforesaid godown. The entire misappropriation was committed during the period which petitioner has no concern with the godown. The petitioner is not named in the written report. The name of the petitioner has come during investigation levelling allegation that he being the godown in-charge, prior to handing over charge to Anil Kumar Sharma, has misappropriated the amount of foodgrains.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner named above in the event of



his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Pupri P.S. Case No. 58 of 2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Sitamarhi subject to condition as laid down u/S 438(2) of the 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 be liable to cancel his bail bond 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.

(Sanjay Priya, J)

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