

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58959 of 2017

Arising out of PS.Case No. -332 Year- 2017 Thana -GOPALGANJ TOWN District - GOPALGANJ

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GAURAV KUMAR BHATT son of Sri Prabhunath Sharma resident of
village - Madhomath, P.S. - Kuchaikot, District - Gopalganj.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ranjeet Kumar Pandey

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 30-01-2018 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

This is an application for grant of anticipatory bail in
connection with Gopalganj Town P.S. Case No. 332 of 2017
registered for the offence punishable under Sections 420, 467,
468/34 of the Indian Penal Code.

The allegation against the petitioner herein who is said
to be Manager of said PACS and other co-accused persons who
are also the Manager and the Treasurer had connived together and
swindled the money of the PACS.

The learned counsel for the petitioner submits that the
Chairman is the whole sole In-Charge of the PACS and the
petitioner being of a tender age has got no role to play in the said
occurrence. It is further submitted that the petitioner is ready to



join investigation and cooperate with the investigation and he would be bound by any condition imposed by this Court. The petitioner is stated to be having a fair antecedent barring one case which has been said to have been lodged by the farmers against the petitioner herein and other co-accused persons including the Chairman of the PACS, who is the informant of the present case.

The learned counsel for the informant has vehemently opposed the prayer of bail and submits that the actual amount could not be quantified. The entire records were in possession of the petitioner herein. However, it is further submitted that if the petitioner is ready to join investigation in presence of the informant and the investigating agency, he does not have objection to grant of anticipatory bail to the petitioner herein.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Gopalganj Town P.S. Case No. 332 of 2017 subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioner shall cooperate with the prosecution and the Investigating Agency during investigation and produce all the documents as well as should be present at the place where the Investigating Agency wants him to be present. It is further made clear that in case the Investigating Agency finds that the petitioner is not cooperating in the investigation, it would be free for the Investigating Agency to approach this Court for cancellation of bail of the petitioner herein.

(Mohit Kumar Shah, J)

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