

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63203 of 2018

Arising Out of PS. Case No.-235 Year-2017 Thana- PIPRAKOTHI District- East Champaran

Rakesh Kumar Singh S/o Rameshwar Singh, Resident of Village- Rampur,
P.O. Motiganj, District Gonda (U.P.), at present- Vice President of Bharat
Sugar Mill at Sidhwaliya, P.S. Shidhwaliya, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar No.1

For the Opposite Party/s : Mr. Ashok Kumar

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 18-12-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Pipra Kothi P.S. Case No. 235 of 2017 registered under
Sections 406, 409, 420 and 120B/34 of the Indian Penal Code
and Section 52 of the Bihar Sugar Cane (Regulation of Supply
and Purchase) Act, 1981.

Petitioner along with other accused persons named
in the F.I.R. are said to have purchased less sugarcane than 400
quintals fixed per day and also weighed 30% less by tampering
digitizer.

It is submitted by learned counsel for the petitioner
that no such occurrence as alleged ever took place. Petitioner



has been falsely implicated in the case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner being the vice president of Bharat Sugar Mill was not at the spot at the time of purchasing and weighing sugar cane rather he was in office and he had no knowledge of the aforesaid occurrence. Moreover, other two accused persons namely Arvind Kumar @ Arvind Singh and D. B. Singh @ Dhan Bahadur Singh have been enlarged on anticipatory bail by different co-ordinate Benches of this Court.

In the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Motihari in connection with Pipra Kothi P.S. Case No. 235 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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