

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53275 of 2017

Arising Out of PS.Case No. -117 Year- 2017 Thana -BHAGWANPUR District- BHABHUA
(KAIMUR)

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1. Umakant Tiwary S/o Rajbandh Tiwary, Manager, PACS, Pasai, R/o
Village- Khaira, P.S.- Chenari, District- Kaimur(Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 03-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Bhagwanpur (Belaon)
P.S. Case No. 117 of 2017 instituted for the offence under Sections-
420, 409, 120(b) of the Indian Penal Code.

Counsel for the petitioner has submitted that the petitioner
is Manager of Pasai PACS. The chairman of the aforesaid PACS with
similar allegation has already been granted anticipatory bail by this
court vide order dated 12-12-2017 passed in Cr. Misc. No. 51179 of
2017.

The BSFC has filed counter affidavit today.

From perusal of the allegation made in the written report, it
appears that the case of this petitioner is on same and similar footing to
that of co-accused Dinesh Shukla who has already been granted
anticipatory bail by this court.



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 Bhagwanpur (Belaon) P.S. Case No. 117 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Kaimur at Bhabua 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 automatically cancel bail bond of the petitioner 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)

A.K.V./-

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