

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17744 of 2018

Arising Out of PS.Case No. -164 Year- 2017 Thana -DURGAWATI District- BHABHUA
(KAIMUR)

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Sri Chandrashekhar @ Chandrashekhar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 08-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Durgawati P.S.Cae no.164 of 2017 registered for offences punishable under Sections 409 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he has sold the paddy on less price than the price fixed by the B.S.F.C. i.e. Rs.1,715/- and secondly he has delivered 12517 quintal old paddy to the auction purchaser.

Submission of the learned counsel for the petitioner is that he was handed over charge on 14.2.2014 by the District Magistrate against which he made protest also and thereafter he was relieved from that post on 11.5.2015 . It is further submitted that the FIR itself show that auction purchase was made under the supervision of the District Magistrate and as such he can not be



responsible for such auction and further submission is that delivery was made on 22.8.2015 whereas he has handed over charge on 11.5.2015, which appears from Annexure 9 to the petition.

Heard learned A.P.P. and the learned counsel for the B.S.F.C. They have opposed the prayer for bail..

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the court below within a period of six weeks from the date of receipt of the order and on his surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. 1st Class, Kaimur at Bhabhua in connection with Durgawati P.S.Case no.164 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure till submission of the charge-sheet with condition that he will co-operate in the investigation of the case, however, once the charge-sheet is submitted and the case is found true against him he will surrender and make prayer for regular bail, which will be considered on the basis of materials available on the record at that time.



With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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