

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22879 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -ARA NAWADA District- BHOJPUR

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MD. AJAM RAD @ AJAM RAD, Son of Hakim Moajjam Siddique,
Resident of Village- Morsanda, Police Station- Falka, District- Katihar.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Jitendra Singh

For the Opposite Party/s : Mr. Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-06-2018 Petitioner apprehends his arrest in connection with Ara Nawada P.S.Case No. 386 of 2017 registered for the offences punishable under Sections 409, 420 and 120B of the Indian Penal Code.

Allegation against the petitioner is that he has not deposited 28951.5 quintals of CMR that has been given to the petitioner.

Submission of learned counsel for the petitioner is that the godown is in two parts, in one part there was excess of 6543 bags of CMR, whereas in other part of godown there was missing of 11161 bags, as such there was shortage of 4618 bags of CMR and he has deposited the amount of said CMR and receipt is with him. Thereafter another FIR has been lodged and in both the cases



petitioner has been granted privilege of anticipatory bail by the court concerned and another FIR has been lodged with respect to the same transaction. Learned counsel for the petitioner has filed Annexure-4/1 showing that he has deposited the amount of shortage of CMR.

Heard learned APP and learned counsel for the BSFC, who has opposed the prayer for anticipatory bail stating that petitioner has not deposited the amount of shortage CMR and for that the present case has been lodged.

Having heard both sides and in the facts and circumstances, as stated above, let petitioner, above named, surrender within a period of six weeks from the receipt of this order and on his so surrendering he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, in connection with Ara Nawada P.S.case No. 386 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned and petitioner has to appear before the Investigating Officer as and when required and produce all the



relevant papers, who will examine the same and if any incriminating material has come against the petitioner the BSFC will be at liberty to move for cancellation of bail.

(Vinod Kumar Sinha, J)

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