

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28448 of 2018

Arising Out of PS.Case No. -86 Year- 2016 Thana -LADANIA District- MADHUBANI

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Balelshwar Yadav, son of Late Mahanthi Yadav. resident of Village-
Dumriyahi, P.S.- Ladaniya, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Bihar State Food Corporation, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate.
For the BSFC : Mr. Harish Kumar, Advocate.
For the State : Smt. Renu Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

7 02-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Ladaniya P.S.**

Case No. 86 of 2016 instituted for the offence under Sections 420
and 406 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that
petitioner is ready to submit Bank Guarantee with regard to CMR
of 211.72 quintals of rice which is alleged to be due against the
petitioner.

Learned counsel for the BSFC has appeared and
submitted that he has no objection if petitioner submits Bank
Guarantee of equivalent to price of 211.72 quintals of CMR.

In such circumstances, this application is disposed off



with direction to the petitioner to surrender before the Additional Chief Judicial Magistrate-IV, Madhubani, within a period of eight weeks from the date of receipt of this order in connection with Ladaniya P.S. Case No. 86 of 2016 and submit Bank Guarantee of equivalent to price of 211.72 quintals of CMR which is alleged to be due against the petitioner. After furnishing Bank guarantee, the learned Additional Chief Judicial Magistrate-IV, Madhubani, will release the petitioner on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each subject to the conditions as laid down under Section 438 (2) 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.

It is made clear that in the event the petitioner does not furnish Bank Guarantee to the satisfaction of court as ordered above, the court below will be at liberty to pass appropriate order



in accordance with law.

S.Ali/-

(Sanjay Priya, J)

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