

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40177 of 2018

Arising Out of PS.Case No. -235 Year- 2017 Thana -PIPRAKOTHI District-
EASTCHAMPARAN(MOTIHARI)

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1. Arvind Kumar @ Arvind Singh, S/o- Late Fulena Singh, Resident of
Village- Mathiya- Bariarpur, P.S.- Pipra Kothi, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with
Pipra P.S.Case No.235 of 2017 (Tr. No.7747 of 2017) , registered
for offences punishable under Sections 406, 409, 420 and
120(B)/34 of the Indian Penal Code and Section 52 of the Bihar
Sugar Cane (Regulation of Supply and Purchase) Act, 1981..

Allegation against the petitioner is and other accused
persons is that by using digitization they cheated the cane farmers
in supply of the cane by less measurement of 30 % and there was
also less purchase per day and the petitioner and other accused
persons is said to be involved in occurrence.

Submission of the learned counsel for the petitioner is that it
is stated that the petitioner is transporter of the mill but the
petitioner is not transporter rather transporter is Ravindra Dubey,
which will appears from Annexure-2 and the petitioner has been



falsely implicated in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 CJM, Motihari in connection with Pipra Kothi P.S.Case nO.235 of 2017subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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