

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.49640 of 2018

Arising Out of PS. Case No.-118 Year-2017 Thana- BOCHAHAN District- Muzaffarpur

Sanjay Kumar Yadav S/o Nand Kishore Rai, R/o Bajitpur Majhauri, P.S.-
Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 29-11-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with Bochahan P.S. Case No. 118 of 2017 registered for the offense punishable under Sections 409 and 420 of the Indian Penal Code.

Learned counsel for the petitioner submits that only because the purchase of paddy from the farmers were to be made by the petitioner and that he failed to deposit the proceeds with the Central Co-operative Bank within the scheduled time-frame, the petitioner is alleged to have made defalcation. He further submits that soon thereafter the petitioner has deposited the proceeds for which he has also been issued a No Dues certificate which is Annexure-4 to the present anticipatory bail application. A perusal of the same, in fact,



depicts that the said paddy has now been deposited and the Branch Manager, Muzaffarpur, Central Cooperative Bank Ltd. has given a certificate to the said effect.

In view of the aforementioned facts and circumstances, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge-XI, Muzaffarpur, in connection with Bochahan P.S. Case No. 118 of 2017, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Anjana Mishra, J)

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