

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44431 of 2018

Arising Out of PS.Case No. -176 Year- 2017 Thana -ARA MUFFSIL District- BHOJPUR

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1. Gajendra Choudhary, Son of Late Suresh Choudhary, resident of
Village- Korwa, P.S. Ara Muffasil, District- Bhojpur. Petitioner

Versus

1. The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

4 14-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
420, 406, 409 of the Indian Penal Code.

The allegation against the petitioner is that being chairman of
the PACS and owner of rice mill, he embezzled 1879.96 quintals
of rice.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 01-02-2018. He has got no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. Charge sheet has been submitted in
the present case. The petitioner has been made accused in this case
due to mistake of fact. There is no substantial evidence to suggest
the implication of the petitioner in the present case. It is further
submitted on behalf of the petitioner that the petitioner is ready to



deposit an amount of Rs. 5,00,000/- (five lacs) in the court below subject to final outcome of the case.

Learned Counsel for the State submits that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit an amount of Rs. 5,00,000/- (five lacs) in the court below subject to final outcome of the case within a period of two months from the date of receipt of the order. In the meantime, the petitioner, named above will be released on provisional bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Ara in connection with Ara (Muffasil) P.S. Case No. 176 of 2017.

It is made clear that on deposit of the amount of Rs. 5,00,000/- (five lacs) within the stipulated period, the provisional bail granted to the petitioner shall be confirmed by the court below itself.

(Sudhir Singh, J)

A.K.V./-

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