

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56305 of 2018

Arising Out of PS.Case No. -436 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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Niraj Kumar, s/o Rajaram Singh, r/v- Valipur, P.S. – Pipariya, District -
Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. The Bihar State Food and Civil Supplies Corporation through the
Managing Director, Bihar, Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uma Shankar Prasad Singh, Adv.

For the B.S.F.C. : Mr. Sanoj Prasad, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 28-09-2018 Heard learned counsel for petitioner learned counsel for
B.S.F.C. and learned A.P.P. for State.

Learned counsel for petitioner submitted that allegation
is against M/s Sai Enterprises, Vidyapith Chowk, Lakhisarai.
Petitioner is co-owner. Liability against petitioner is 1/3rd of total
payable amount.

Considering the fact, the order is modified to the extent
that on furnishing bank guarantee of 1/3rd of amount of Rs.
14,58,778.00 (Fourteen lacs fifty eight thousand seven hundred
seventy eight) in favour of competent authority of Bihar State
Food and Civil Supplies Corporation in terms of agreement, the
petitioner may be released on bail after furnishing necessary
documents in support of bank guarantee before the court below,



the petitioner may be released on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 436/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the 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.

(S. Kumar, J)

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