

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9122 of 2018

Arising Out of PS.Case No. -197 Year- 2016 Thana -MAKHDUMPUR District- JEHANABAD

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1. Gautam Kumar S/o Ramvilas Yadav, R/o Village- Jhitkoria, P.S.-
Makdumpur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Manager, State Food Corporation, Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Soni Shrivastava, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-02-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody in connection with
Makhdumpur P.S. Case No.197 of 2016, a case under Section
409/34 of the Indian Penal Code.

The petitioner was manager of PACS. Under an
agreement with a rice miller, the Chairman of the PACS purchased
paddy and he delivered the rice in lesser quantity as required and,
thus, allegedly misappropriated to the tune of rupees three lacs
eighty-four thousand and odd.

It appears that the petitioner was allowed
anticipatory bail earlier by a coordinate Bench of this Court in Cr.
Misc. No.1978 of 2017 on submission of the petitioner that



chairman would deposit the money but the money was not deposited with BSFC. Hence, provisional anticipatory bail was rejected by the learned Court-below and this Court refused to interfere with the matter in Cr. Misc. No.41199 of 2017. Petitioner is in custody since 20.11.2017.

Considering the fact that main liability is of Chairman, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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