

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19756 of 2018**

Arising Out of PS.Case No. -51 Year- 2015 Thana -HASPURA District- AURANGABAD

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1. Wakil Prasad Singh S/o Late Lakshmi Prasad Singh, R/o Village-  
Salempur, P.S.- Suryagarha, Distt.- Lakhisarai.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. The District Manager, Bihar State Food & Civil Supplies Corporation  
Ltd, Aurangabad.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satyam Shivam Sundaram

For the Opposite Party/s : Mr. Sri Nirmal Kumar Sinha

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

3      26-04-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is in custody since 29.11.2017 in  
connection with Haspura P.S. Case No. 51 of 2015 for the offence  
registered under Sections 420, 406 and 409 of the Indian Penal  
Code.

Learned counsel for the petitioner submits that it was at  
the instance of the present petitioner that several cases have been  
lodged against some dishonest rice miller but, unfortunately,  
even though he was pointing out falsity of the action of other rice  
millers, the petitioner was also implicated in several cases and  
was placed under custody. It is further submitted that so far as the



present case is concerned, the rice miller against whom the allegations have been made has since deposited the entire amount alleged to have been defalcated which is evident from Annexure-4 to the present bail application which is a certificate issued by the District Manager, Aurangabad. So far as other cases are concerned which were lodged against the petitioner, learned counsel for the petitioner submits that in all other cases the petitioner has been extended the privilege of regular bail

Considering the aforesaid facts and circumstances of the case and the fact that the petitioner has deposited the entire amount which is alleged to have been defalcated, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Court of Careless Rice Miller 1<sup>st</sup> Class Judicial Magistrate, Gaya in connection with Haspura P.S. Case No. 51 of 2015, subject to the following conditions:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



(3) The petitioner shall remain physically present in Court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons his bail bonds shall be liable to be cancelled by the learned Court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

**(Anjana Mishra, J)**

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