

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2636 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- PAUTHU District- Aurangabad

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1. Surendra Sharma son of Late Ramadhar Sharma, resident of village - Beri, PS-Pouthu, Distt.-Aurangabad
 2. Akhileshwar Kumar Singh son of Bechan Sharma, resident of village - Beri, PS-Pouthu, Distt.-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Adv.

For the Opposite Party/s : Mr.P Mehta, APP 42

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 21-01-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Pauthu Police Station Case No. 65 of 2018 registered for the offences punishable under sections 420/406/409 of the Indian Penal Code.

Petitioner No. 1 is the Chairman of the PACS and petitioner no. 2 is the Manager of the PACS. Altogether the petitioners have purchased 5688 quintal paddy from the villagers and as per terms of agreement, they have to hand over the rice to the extent of 3810.96 quintal of CMR, but they have only supplied 3240 quintal of rice and failed to pay 570.96 quintal of rice. Accordingly the amount has been



assessed to Rs.1409135/-.

The learned counsel for the petitioners submits that the petitioners are ready to deposit the aforesaid amount within a period of two months. Half of the amount will be deposited by the petitioners within one month from today and the rest amount they would deposit one month thereafter.

In such view of the matter, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of 2nd Additional Chief Judicial Magistrate, Aurangabad in connection with Pauthu Police Station Case No. 65 of 2018, subject to the conditions as laid down under section 438 Cr.PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. However, it is also made that if the petitioners fail to carry out their commitment, in such



circumstance, the bail granted to them will be treated to have
been cancelled.

(Shivaji Pandey, J)

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