

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.571 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- DAUDNAGAR District- Aurangabad

Amrendra Kumar Sinha, aged about 44 years, gender-Male, Son of Late Akhileshwar Sinha, Resident of Village- Sarauti, Police Station - Rampur Churam, District - Arwal

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Sanjay Kumar, Advocate
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 07-02-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 420 and 409 of the Indian Penal Code registered in connection with Daudnagar P.S. Case No. 363 of 2018.

3. It is submitted that the petitioner has been falsely implicated and the accusation against him that he did not constitute the requisite committee and directly made payment to the vendor (Little Genius) for purchase of equipment and appliances is incorrect. The petitioner claims clean antecedents.

4. A supplementary affidavit has been filed by the petitioner, *inter alia*, stating that one of the members of the Three-Men Committee, namely, Arvind Kumar has received the appliances and equipment on 16.01.2019. It is therefore submitted that the petitioner has not defalcated any amount of the Government fund.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Aurangabad in connection with Daudnagar P.S. Case No. 363 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate 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.

(Vikash Jain, J)

BT/Chandran

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