

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3500 of 2019

Arising Out of PS. Case No.-312 Year-2013 Thana- LAKHISARAI District- Lakhisarai

Harendra Prasad Jaiswal son of Kailash Prasad Pakridayal, Post and
Pakridayal, P.s-Pakridayal, District-East champaran (Motihari)

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with
Lakhisarai (Kabaiya) P. S. Case No. 312 of 2013 registered
under Sections 406 and 420 read with 34 of the Indian Penal
Code.

Learned counsel for the petitioner submitted that he
had never asked for supply of rice from the informant or
through co-accused Vijay Kumar Gupta. He did not receive any
consignment of rice. The petitioner has no trading company in
his own name. He has been falsely dragged in this case. He
further contended that the case is predominantly of civil nature
and the ingredients of the offences punishable under Sections



406 and 420 of the Indian Penal Code are not attracted.

Learned Additional Public Prosecutor for the State has opposed the application for grant of pre-arrest bail to the petitioner. He contended that there is allegation that the petitioner is proprietor of Jaishwal Trading Company and he had received consignment of rice from the informant but refused to make any payment.

Be that as it may, considering the nature of allegation, in the event of arrest or surrender before the court below, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in Lakhisarai (Kabaiya) P. S. Case No. 312 of 2013, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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