

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3590 of 2019

Arising Out of PS. Case No.-98 Year-2018 Thana- RASULPUR District- Saran

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1. Hareshwar Singh, son of Basisth Singh, Resident of Village- Siuari, Post Office Sarai, Police Station- Rasulpur, District- Saran at Chapra.
 2. Anish Kumar Singh, s/o. Hareshwar Singh Resident of Village- Siuari, Post Officer Sarai, Police Station- Rasulpur, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Ban Bihari Singh

For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 409/34 IPC registered in connection with Rasulpur P.S. Case No. 98 of 2018.

3. It is submitted that the petitioners who are the Chairman and Manager of Atarsan PACS respectively, have been falsely implicated in connection with non-deposit of 27.742 tonnes of CMR amounting to Rs. 6,93,175.48 within the stipulated period upto 01.08.2018. It is submitted that in any event the petitioner no. 1 has already deposited an amount of Rs. 1,00,000/- on 17.08.2018 and the petitioners undertake that the remaining amount shall be deposited in the concerned bank within a period of three months.

4. Be that as it may, having regard to the entirety of the facts and circumstances, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)



each with two sureties of like amount each to the satisfaction of learned ACJM 10th, Saran at Chapra, in connection with Rasulpur P.S. Case No. 98 of 2018 subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners 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, their bail bondd shall be liable to be cancelled by the learned Court concerned.
- v. The petitioners shall deposit the outstanding amount of Rs. 2,00,000/- on or before 28.02.2019, a further amount of Rs. 2,00,000/- on or before 31.03.2019 and the remaining amount of Rs. 1,93,175.48 on or before 30.04.2019 in the concerned bank.

Chandran/-

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(Vikash Jain, J)

