

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14022 of 2019

Arising Out of PS. Case No.-170 Year-2018 Thana- BHAWANIPUR District- Purnia

PRASHANT KUMAR, Son of Chandra Kishore Bhagat @ Chandra Kishore
Kumar Resident of Village - Bhawanipur, P.S- Bhawanipur, Distt.- Purnea
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Vikram Singh, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 406, 409 and 420 of the
Indian Penal Code.

According to FIR, on verification of godown of the
PACS, no paddy was found and the Chairman of the PACS, Mr.
Kundan Kumar, who is co-accused, informed that entire 402
quintals of paddy has been given to the miller of which the
petitioner is proprietor.

Contention of the petitioner is that no paddy was
provided to the petitioner nor there is any proof of providing
paddy to the mill of the petitioner. Rather the agreement
between the parties clearly stipulated that the paddy should be



provided only when the miller is ready to provide the proportionate rice simultaneously. Otherwise, the paddy is not to be provided to the miller.

Submission is that this condition was brought in the agreement, after previous laches noticed, in such matter.

Considering the fact that here is no substantial material disclosing implication of the petitioner for the purpose of consideration of this prayer for bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Bhawanipur. Police Station Case No. 170 of 2018, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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