

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.16450 of 2019**

Arising Out of PS. Case No.-4 Year-2011 Thana- BIHIA District- Bhojpur

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Gajendra Singh, aged about 69 years, Male, Son of late Khajan Singh,  
Resident of Lane No.4, in front of Railway Bridge, Near Vashissth Bhawan,  
Bhupendrapuri, P.S.- Modi Nagar, Gajiyabad, U.P.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sandipan Chatopadhyaya, Regional Manager F.C.I., District Office, Patna.

... .. Opposite Party/s

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**Appearance :**

|                      |   |                            |
|----------------------|---|----------------------------|
| For the Petitioner/s | : | Mr. Ajit Kumar Singh, Adv. |
| For the O.P. No. 2   | : | Mr. Shashi Dhar Jha, Adv.  |
| For the State        | : | Mr. Parmeshwar Mehta, APP  |

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

2      15-03-2019                      Heard the learned counsel for the petitioner,  
  
opposite party No. 2 and the State.

The petitioner seeks bail in anticipation of his  
arrest in connection with Bihiya P.S. Case No. 4 of  
2011, dated 05.01.2011, instituted for the offences  
under Sections 420, 406, 409 and 120(B) of the Indian  
Penal Code.



It appears that a case was lodged in the year 2011 with the allegation against one Uday Bhushan Prasad. The name of the petitioner transpired during the course of investigation in the context of his having purchased paddy during the period 2008-2009.

It has been submitted on behalf of the petitioner that during the aforesaid period, the petitioner was on medical leave for his having suffered from severe jaundice and, thereafter, he had been transferred to Noida in the State of Uttar Pradesh. The petitioner has now superannuated on 31.07.2009. It was only when warrant of arrest was issued against him, that he came to learn that he has also been made accused in the subject F.I.R.

Mr. Ajit Kumar Singh, the learned counsel for the petitioner, on instructions, has submitted that the petitioner is ready to cooperate with the investigation because after his superannuation, he will have no difficulty in going to the Investigating Officer of the case as and when it is required of him.



Considering the aforesaid facts and the undertaking of the petitioner to participate in the investigation, this Court deems it appropriate to grant anticipatory bail to him. While saying so, this Court has also taken note of the fact that the main accused person, against whom the entire gamut of allegation has been levelled in the F.I.R., has already been granted anticipatory bail, but only till the conclusion of the investigation.

For the aforestated facts, the petitioner above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks from the date of receipt/production of a copy of the present order, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara, in connection with Bihiya P.S. Case No. 4 of 2011, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



However, it is made clear that the petitioner shall participate in the investigation and his failure or reluctance to do so would enable the Investigating Officer of the case to proceed for cancellation of the anticipatory bail granted to him.

**(Ashutosh Kumar, J)**

Praveen-II/-

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