

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22914 of 2019

Arising Out of PS. Case No.-138 Year-2018 Thana- ARIYARI District- Sheikhpura

1. PAPPU KUMAR (CHAIRMAN) Son of Vimal Yadav R/o village- Pathraita, P.S.- Ariari, District- Sheikhpura
2. Shiv Kumar (Manager) Son of Vimal Yadav R/o village- Pathraita, P.S.- Ariari, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Prasad Singh

For the Opposite Party/s : Mr.Parmeshwar Mehta

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-04-2019 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, 420 IPC registered in connection with Ariari P.S. Case No. 138/2018.

3. It is submitted that the petitioners who are the Chairman and Manager respectively of the Hajratpur Mandro PACS have been falsely implicated on the accusation of short delivery of 2015 quintals paddy to the S.F.C. It is submitted however, that the petitioners are ready and willing to ensure that value of the said 2015 quintals paddy amounting to Rs. 31,23,250/- would be deposited to the concerned S.F.C. in instalments. The petitioners claim clean antecedents.

4. Be that it may, in the event of petitioners arrest or surrender within four weeks hereof let the above named petitioners be released on provisional anticipatory bail on furnishing bail bond of Rs.10,000/- [ten thousand] each with two



sureties of like amount each to the satisfaction of learned SDJM, Sheikhpura in connection with Ariari P.S. Case No. 138/2018 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 bonds shall be liable to be cancelled by the learned Court concerned.

(v) The petitioners shall make deposit of the entire amount of Rs. 31,23,250/- as aforesaid in eight equal monthly instalments, first of which shall be paid by 30th April, 2019 and the remaining by 30th of every succeeding month.

5. The provisional bail granted to the petitioners shall stand confirmed, if the entire payment of the amount of Rs. 31,23,250/- is made within the stipulated period of eight months. In case the petitioners fail to deposit any two consecutive instalments, the provisional bail shall stand automatically cancelled.

(Vikash Jain, J)

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